

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, FEBRUARY 13, 2004, 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, February 13, 2004.

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**II. INVOCATION**

Commissioner David Gellatly 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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**YOUTH COMMISSIONERS**

Chairman Hair introduced the following Youth Commissioner who was in attendance: William Jackson, a Sophomore at Groves High School.

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## **V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

### **1. PROCLAMATION TO DECLARE FEBRUARY 14, 2004, AS WTOC-TV DAY IN CELEBRATION OF THEIR 50<sup>TH</sup> ANNIVERSARY (CHAIRMAN HAIR).**

Chairman Hair said, I see the distinguished news anchor, Mr. Sonny Dixon, down there that will join me and we will present the proclamation. Chairman Hair then read the following proclamation into the record:

**WHEREAS**, in October 1929, WTOC AM signed on as the first radio station in the Savannah area, an enterprise of the Junior Board of Trade, a civic group that was the forerunner of the Savannah Jaycees; and

**WHEREAS**, on February 14, 1954, William T. Knight Jr., at great financial risk, established WTOC-TV as the first television station in the Savannah area and in subsequent years, both AFLAC and Raycom Media have owned WTOC-TV and vastly expanded the quality and quantity of WTOC's news operation to build an organization that is indeed the Southeast News Leader as evidenced by both Emmy and Edward R. Murrow awards for news gathering efforts in 2003; and

**WHEREAS**, in May 2002, WTOC was first again by broadcasting the first area digital (High Definition) television signal.

**NOW, THEREFORE**, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim, Saturday, February 14, 2003 as:

#### **WTOC-TV DAY**

in Chatham County in recognition of its 50<sup>th</sup> anniversary of the Southeast News Leader and who from its beginnings, has been an organic part of the community, not stepping back from the issues and problems of the day, but stepping forward as an equal partner in the life of the community.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 13<sup>th</sup> day of February 2004.

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Dr. Billy B. Hair, Chairman  
Chatham County Commission

#### **ATTEST:**

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Sybil E. Tillman, Clerk

Mr. Sonny Dixon said, briefly —, I know you've got a lot of people far more important than we who are here, and it's an honor to be here with them. Thank you, Mr. Chairman and members of the Board of Commissioners. It is a delight to be here on behalf of WTOC. As a Savannah native I've been sitting here talking with other folks that have been reminded that I was once young and these pictures are showing some of that. If I'd know I was going to live this long, I'd have taken better care of myself, as the old saying goes. But really the daunting task is to stand here and represent so many who've come before: W. T. Knight, Jr., Doug Weathers, Dave Randall, so many more who have brought news and information into our homes in this community. As you know, WTOC has always stood for "Welcome To Our City," but in honor of this fine proclamation by this august body, we're going to modify it at least for a day, "Welcome To Our County." Thank you very much. Chairman Hair said, thank you.

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### **2. PROCLAMATION AND PRESENTATION IN MEMORY OF FORMER YOUTH COMMISSIONER BRANDON BROWN—BRANDON'S MOTHER, MRS. SADIE BROWN, AND FAMILY MEMBERS WILL BE PRESENT (COMMISSIONER THOMAS).**

Chairman Hair said, I'm going to call on Dr. Thomas to introduce this proclamation. Commissioner Thomas said, I would also like to ask Mr. Jackson, the Youth Commissioner in attendance, to please come down as well. Just before I call the family up I'd like to make a few remarks. As we all know that we lost one of our most excellent leaders on the Youth Commission and I want to tell you this morning that I'm very proud of the Chatham County Youth Commission because they played a major role in helping to comfort this family in time of need. I never knew that we could be so touched by so many people, and today we want to let Mrs. Brown and the family know that although she has this loss, his memory will always remain and continue and we will never forget Brandon [Brown]. And so today I would like to ask the Chairman of the Chatham County Commission to read the proclamation and then after that I'm going to ask Alderman Van Johnson to make further presentations. Commissioner Thomas said, please come up, the family.

Chairman Hair read the following proclamation into the record.

**WHEREAS**, it is always a sad occasion to pay tribute to one that has departed this life and even more so when the lost is that of such a young and aspiring individual as Brandon Brown; and

**WHEREAS**, Brandon was a former member of the Chatham County Youth Commission, a program designed for teenagers interested in government and politics, and continued to participate after his graduation from high school to assist current members; and

**WHEREAS**, the 2000 graduate of Savannah High School began his college career at Florida A&M University but returned to his hometown to continue his major in mass communication at Savannah State University; and

**WHEREAS**, this young man leaves a legacy of outstanding service to our community which includes his affiliation with Teen Peer Counseling, Council to Delinquent Children, FAMU League, Blue Funk, Sons of Thunder & S Phi G and his services with E-93 and 94.1 radio stations.

**NOW, THEREFORE, BE IT RESOLVED**, that I, Dr. Billy B. Hair, Chairman, on behalf of Dr. Priscilla D. Thomas, Vice Chairman and Founder of the Chatham County Youth Commission, and members of the Chatham County Board of Commissioners, do hereby pay tribute and extend our heartfelt sympathy to the family of:

**BRANDON BROWN**

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be presented to Ms. Sadie Brown and that County Clerk place a copy of this Resolution in the minutes of the Chatham County Commission meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 13<sup>th</sup> day of February 2004.

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Dr. Billy B. Hair, Chairman  
Chatham County Commission

**ATTEST:**

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Dr. Priscilla D. Thomas, Vice Chairman  
District 8

Mrs. Sadie Brown said, I'd like to say to everyone it's hard, but Brandon [Brown] would want me to say thank you for being an intricate part of his life for as a mother I didn't do it alone. He's come in contact with many people that have been very influential to his life, and to the Youth Commissioners, the Commissioners, he loved being a part of. To know that my son touched so many people in such a short time, but I would like for you to know as his mother I will continue my son's work. If there's anything that the Commission or the Youth Commission need from me, I will be here because you have given me so much to be proud of in my son.

Youth Commissioner William Jackson said, on behalf of the Chatham County Youth Commission we'd like to present this billboard with just the colored pictures of Brandon [Brown] just in memory of Brandon. I know as a Christian myself when times get hard we tend to wonder sometimes why. We know who's in charge and we know who knows best, and anytime you need the Youth Commission, just call us. You know how to get in touch with Mr. Johnson, Mrs. Thomas or I. Anytime and we will be happy to be there. We loved Brandon [Brown], but we know God loved him best. Mrs. Brown said, thank you.

Alderman Van Johnson said, we also want to present this to you as well. We've been charged as adults to be able to teach our youth how to deal with adversity and as a part of that is helping to learn how to deal with life and deal with death, and we're a family and, as I've told you several times before, once a Youth Commissioner, always a Youth Commissioner. I think that was evident by the many young people that came from near and far over the last couple of days to Savannah to be supportive to you and the family, so we're here for you.

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**3. PROCLAMATION IN MEMORY OF THE LATE DR. BOB HESTER WHO PROVIDED FREE DENTAL CLINICS FOR CHATHAM COUNTY INMATES (COMMISSIONER ODELL).**

Chairman Hair recognized Commissioner Odell.

Commissioner Odell asked, is Michael Edwards here? We often take the opportunity to recognize those individuals in the community who made a substantial contribution and occasionally we take that opportunity a little too late after they have passed, but there's always a method of justice to right a wrong. Today what we're attempting to do is to right a wrong. An individual who was worthy of note that this Commission at the time of his life did not recognize him. But

at the time of his death we take this opportunity to recognize the valuable work that he did for this community. A colleague and a friend, Attorney Michael Edwards is here. Michael [Edwards] has some additional words.

Mr. Michael Edwards said, let me thank you first, Mr. Chairman, Commissioner Odell. If I could just have this brief moment to introduce a number of people that are here this morning. My name is Michael Edwards and it's my distinct honor and privilege to be here with you today to be part of the recognition of Dr. John Robert Hester. Accepting your gracious invitation to be here this morning is Dr. Hester's most treasured and cherished friend: his wife, Mrs. Marjorie Hester is here. Also present this morning are one of his sons, Steve, and his two —, two of his dearly loved grandchildren, Hannah and Ben. Also present are Roby [phonetic] and his daughter —, son Roby and daughter-in-law Kathy, along with their daughter and granddaughter of Dr. Hester, Amber. A dear and close personal friend, lifelong friend of Dr. Hester, Bill Campbell, is here and also Dr. Hester's nephew, the Rev. Billy Hester is present this morning as well. On behalf of the Hester family we are humbled and grateful for the Commission's kind gesture of remembrance for this kind and memorable man, Dr. John Robert Hester. Thank you very much.

Chairman Hair asked, could I have the family come up as I read the proclamation. Chairman Hair then read the following proclamation into the record:

**WHEREAS**, the Chatham County Board of Commissioners deeply regrets the death of Dr. John Robert Hester and wishes to adopt certain resolutions in tribute to his memory; and

**WHEREAS**, Dr. John Robert Hester was born in Savannah, Georgia on November 29, 1921, and was raised in this community, graduated from Savannah High School, Armstrong State College and Emory Dental College, and faithfully attended Epworth United Methodist Church; and

**WHEREAS**, he served his country as Naval officer during World War II and worked in a dental clinic in Germany during his military service; and

**WHEREAS**, following his military service, he returned to Savannah, Georgia in 1947 and began his dental practice at 15 East Jones Street where he practiced for more than fifty years; and

**WHEREAS**, he was past president of the Georgia Dental Association and conducted free dental clinics for Chatham County inmates for more than twenty years.

**NOW, THEREFORE, BE IT RESOLVED**, that the Chatham County Board of Commissioners pays tribute to the memory and legacy of:

**DR. JOHN ROBERT HESTER**

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be forwarded to Mrs. Hester and that the county clerk place a copy of this resolution in the minutes of the County Commission meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County Georgia to be affixed this the 13<sup>th</sup> day of February 2004.

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Dr. Billy B. Hair, Chairman  
Chatham County Commission

**ATTEST:**

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Harris Odell, Jr., Commissioner  
District 5

Rev. Billy Hester said, all I want to say is that before we had this experience this morning one of Dr. Hester's sons was telling me he just remembers being in the car sitting outside of the jail waiting on his father, who did this for 20 years for nothing, and I just —, we thank you for remembering this, and we hope it inspires others to this kind of selfless giving. Thank you.

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**4. PROCLAMATION FOR THE TOWN OF THUNDERBOLT FOR BECOMING A CERTIFIED CITY OF ETHICS—ACCEPTING ON BEHALF OF MAYOR PETREA WILL BE MAYOR PRO TEM JOHN HALL (COMMISSIONER MCMASTERS) .**

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, I want to thank Mayor Pro Tem John Hall for being here for Mayor Petrea, and District 3 is roughly 85% City of Savannah and 5% unincorporated Chatham County and about 10% the Town of Thunderbolt. It is a great pleasure to work with the fine Town of Thunderbolt. I do not want this significant accomplishment to go

unnoticed. I think it's indeed quite a credit to the development and the Town of Thunderbolt, both the citizens and the elected officials, so with that we'll read the proclamation.

Chairman Hair read the following proclamation into the record:

**WHEREAS**, a lightening strike that created a freshwater spring on the Wilmington bluff is said to have been the inspiration to name a small town in Georgia, Thunderbolt; and

**WHEREAS**, Thunderbolt was a settlement which evolved into a shipping point for local plantation needs that also serviced the river traffic and was incorporated as Warsaw in 1856, beginning its history as a processing port for the fishing community; and

**WHEREAS**, after passing a resolution adopting five principles of ethical behavior, Georgia Municipal Association has designated the Town of Thunderbolt a Certified City of Ethics.

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

**“THE TOWN OF THUNDERBOLT”**

for having received this distinguish award and for being a town that has made a tangible commitment to ethical conduct.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 13<sup>th</sup> day of February 2004.

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Dr. Billy B. Hair, Chairman  
Chatham County Commission

**ATTEST:**

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John McMasters, Commissioner  
District 3

Mayor Pro Tem Hall said, on behalf of the Mayor and Council of the Town of Thunderbolt and our citizens, we'd like to thank you for this recognition. Again, thank you very much. Chairman Hair said, thank you.

Commissioner Odell said, Thunderbolt will probably in the near future be recognized for the good work that you all have done in the area of drug treatment and your misdemeanor program. We had the Chief of the Georgia Supreme Court who was down a while back to acknowledge and recognize the work that the Municipal Court has done in Thunderbolt. Having been a judge in Thunderbolt many, many years ago, and Thunderbolt now is a Certified City of Ethics, but it's always been a city of ethics and good and high quality people, and we thank you and thank John [McMasters] for bringing this before the Commission. Mayor Pro Tem Hall said, thank you very much, sir.

Chairman Hair said, thank you, Commissioner McMasters. Thank you, Mr. Hall. Chairman Hair recognized Youth Commissioner Jackson.

Youth Commissioner Jackson asked, is Chatham County a County of Ethics? Commissioner Odell asked, Certified County? Chairman Hair said, this is actually a program with the Georgia Municipal Association. That's a very good question. I'm not sure that the ACCG, do they have such a program? We need to look into that. County Manager Abolt said, y'all have a —, adopted and Commissioner Murray, I know, and Commissioner Rivers will remember and Dr. Thomas, you adopted a Code of Ethics for this Board several years, one of the first counties in the State of Georgia to do that. We can certainly check into the accreditation statewide, but this County has already been the leader for adopting ethics on their own.

Chairman Hair said, that's a good question. We'll look into it, Mr. Jackson. We appreciate the question.

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**5. PROCLAMATION DECLARING FEBRUARY AS AMBUCS MONTH—AMBUCS PRESIDENT KEVIN SHEEHAN WILL BE PRESENT TO 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 2004 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 13<sup>th</sup> day of February, 2004.

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Dr. Billy B. Hair  
Chatham County Commission

**ATTEST:**

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Sybil E. Tillman, Clerk

Mr. Kevin Sheehan said, we'd like to thank the Commission for recognizing us. There are several people that have come before me that have made this organization great. Recently —, the last thing Billy [Hair] mentioned was the AmTryke program. We just gave away our 100<sup>th</sup> AmTryke to a child that was autistic and there a hundred kids in this community that have been served by this program. It's a specially-adapted tricycle where they can use their arms and legs. And I thank you for the recognition. We love what we do and will continue to be a benefit to this community. Thank you. Chairman Hair said, thank you, Mr. Sheehan. We appreciate you being here.

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**6. PROCLAMATION RECOGNIZING THE ACHIEVEMENTS OF THE BETHESDA COMCAST ALLIANCE FOR THEIR ASSISTANCE IN TAPING THE CHATHAM COUNTY COMMISSION MEETINGS—COMCAST GENERAL MANAGER MIKE DAVES AND BETHESDA HOME FOR BOYS EXECUTIVE DIRECTOR DAVID TRIBBLE WILL BE PRESENT TO ACCEPT.**

Chairman Hair read the following proclamation into the record:

**WHEREAS**, Bethesda, America's oldest existing children's home, has given deserving children a fresh start since 1740 and is committed to equipping the boys under their care with the tools necessary to build character based on education, spiritual guidance, and personal integrity; and

**WHEREAS**, students age fifteen and older are eligible to take a course in television production where they receive real world experience with the production of cable television programs and public service announcements for area non-profits; and

**WHEREAS**, the Bethesda/Comcast Alliance was the brainchild of Jeff Walker, Bethesda's Director of Public Relations, that allows students to assist in the shooting of the Chatham County Commission meetings and they arrive in a production van donated by Comcast General Manager, Mike Daves with the alliance logo, an electric blue paint job and chrome spinners that the boys donated and installed themselves.

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

**BETHESDA/COMCAST ALLIANCE**

for their service to non-profits through the production of television programs and their representation of a successful partnership between a corporation and a non-profit agency dedicated to education and workforce development.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 13<sup>th</sup> day of February 2004.

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Dr. Billy B. Hair  
Chatham County Commission

**ATTEST:**

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Sybil E. Tillman, Clerk

Mr. Jeff Walker said, good morning. I'm Jeff Walker, I'm the Director of Public Relations at Bethesda. My degree is in Business Management, but my background is in video, having taken seven classes at SCAD and owning my own corporate video production for twelve years and paying approximately \$4,000 in late rental fees to Blockbuster Video. Four and a half years ago I approached David Tribble, Bethesda's Executive Director, with the concept of teaching television production to the young men at Bethesda. Back in 1990 I taught Summer school for Youth Futures Authority and saw then that the teen mentality necessary for producing a quality video could work well in building a strong work ethic in the young people. I know for a fact that you never get tired of seeing your name in the credits of a job you worked hard on. So about three and a half years ago we began teaching television production. In December of 2001 Comcast took us under their philanthropic wing by allowing us to operate a local nonprofit and religious access channel and use the revenue from that channel to fund our technology program. So we were able to purchase cameras and editing suites and lights and hire a full time Director of Operations, Sam Boyce, who y'all have seen running around here shooting the meetings with the guys. The program was further validated last year when a curriculum that we created was adopted by Savannah Technical College, and what that did was it allowed the students who took the class to also receive a technical certificate of credit from Savannah Tech. So in October thirteen students received that certificate and next month six more will walk across the stage at the Savannah Civic Center in their cap and gown and they'll receive their certificate as well. So I'm really proud of the guys for accomplishing that at such a young age. The television programs and public service announcements that we are able to shoot because of Comcast's generosity has taught the students also the importance of giving back to the community. We feel really strongly at Bethesda that because our guys have benefitted so much from the philanthropy of others that it's important that they learn that that stewardship is now their responsibility as well. Because we have no corporal punishment at Bethesda, we also require that each student videotape two of these County Commission meetings as part of the curriculum as well. And then if they misbehave, there's always the MPC looming over there. But through this alliance Bethesda-Comcast has been able to benefit 40 nonprofit organizations, and I think that's just a really good thing, and I want to thank the teachers and mentors who have helped along the way. Our Bethesda Day School principal, Irish McCormick [phonetic], for putting up with me and doing whatever it takes to make the program succeed and one volunteer in particular, Gunner Froebel, who's been with us every week for the entire duration and, in particular, David Tribble for seeing the importance of teaching these guys' work skills and making sure that we had whatever we needed to bring Whitfield's vision of instilling a strong work ethic in the boys that, you know, we're fortunate enough to serve, and Mr. Mike Daves for contributing not only the equipment and an electric blue production van, but showing Chatham County what it takes to be a good corporate partner and for having Comcast put their money where their mouth is in showing the importance of work force development, for giving nonprofits a forum to educate the public about the importance of their organization and the people they serve, and most importantly for adding so much to the lives of the boys at Bethesda.

Chairman Hair asked, Mr. Daves or Mr. Tribble? Anybody?

Mr. Mike Daves said, Mr. Chairman, Commissioners, on behalf of Comcast we really do appreciate this. It is something that we feel very strongly at Comcast about giving back to the community, and I think this is a prime example of what organizations in the Savannah area should all strive to do. So we challenge all organizations in Savannah to look for these type of alliances and give back to the community and see the good that it does.

Mr. David Tribble said, I will finish this up by simply thanking you for recognizing the work of our young people. It's always nice to get a pat on the back and I know they appreciate it and on behalf of Bethesda we certainly appreciate your support of them, the support of Comcast and all the players that go into teaching these guys the kind of production skills, but also life skills they're going to need as they get ready to leave us. Thank you very much.

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, we'd like to also emphasize the fact that they have played major role with the Chatham County Youth Commission over the years and we certainly appreciate all that you have done to interact with the Chatham County Youth Commission and we look forward to that continuance support, and we work —, I mean, we salute you for the work that you have done because I feel that the partnership that you have shown is certainly one that is needed to be broadened throughout Chatham County. So, again, thank you.

Chairman Hair said, we really appreciate the work you folks are doing. Thanks a lot. We appreciate you being here.

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## 7. PICTURE HISTORY OF THE SAVANNAH-OGEECHEE CANAL (ROBERT DREWRY).

County Manager Abolt said, Mr. Chairman, Dr. Thomas, gentlemen, I'll introduce Mr. Drewry and Mr. Lipsey. This is something that has required a lot of patience and vision of so many people, but we want to come forward today and visualize, if you will, not just for today but in the years ago, what it means to have the S&O Canal and hopefully what it will be like when it's finally completed. County Manager Abolt recognized Mr. Al Lipsey.

Mr. Al Lipsey said, thank you and good morning. With me I would like to introduce Heather Lloyd, the new Site Administrator for the Savannah-Ogeechee Museum, and Jo Hickson of Hinesley and Hickson Association. Jo [Hickson] is also a consultant with the County on several of our projects and is the person responsible for the pictures that you see along the wall. As I said, the pictures along the wall is being presented to you in appreciation of your support in preserving Savannah's history and also creating a recreational area for the citizens of Chatham County. And, again, we appreciate your support in doing that.

Ms. Jo Hickson said, thank you. I would like to continue that thanks to you for your continuing support of the S&O Canal as part of the Coastal Georgia Greenway Trail. The two projects have merged on this beautiful corridor that's about 16 miles long from River Street through Tom Triplett Community Park and out to the S&O Canal Museum site on the Ogeechee River. This corridor is of national significance and as part of that our firm hired the National Parks Service to complete a historic engineering record of the locks, and the drawings that are produced here are recorded in the Library of Congress. Not every site has this distinction, so I wanted you to be aware of that. This is a project of national import. Also, through utilizing the corridor as part of a trail system, it really reestablishes this corridor as a mode of transportation in that alternative transportation for bicyclists and pedestrians will utilize the towpath of the canal corridor for trails. And so not only is it of historic significance, it is of ecological importance and it also is a prime transportation corridor in Chatham County, part of a national trail that will link from South Carolina to Florida and also from Maine to Key West, and this trail will come through the City of Savannah, through Chatham County, through Tom Triplett Community Park, into the S&O Canal Museum. So in recognition of that, the drawings show the locks and in front of that there's a little interpretative sign. These signs will be placed at each of the locks and on the signs it tells a part of the history of the canal. So this will be —, I believe it will be mounted in this room and I think it will help make the citizens of Chatham County aware of the importance of this corridor to the community. Thank you so much for your support.

Chairman Hair asked, Heather Lloyd, would you like to make any comments?

Ms. Heather Lloyd said, thank you. We'd like to thank the Commission for recognizing the significance of the Canal as a heritage corridor. I am part of the Savannah-Ogeechee Canal Society, which is a group of dedicated citizens who saw the importance of preserving this area. In so doing, it's evolved into a museum and nature center that's operating at the Ogeechee River terminus of the Canal, and we're looking forward to a bigger future. We're looking at new museums and bigger opportunities with the Canal, and we thank the Commission for helping us preserve this part of history. Thank you.

Chairman Hair said, thank you. We appreciate y'all being here. I go to Augusta quite often on business and if you want to see what ultimately could happen, Augusta has really done a magnificent job with their canals and they actually started about a couple of months ago actually doing tours now. You go over there and get boats and ride boats up and down the canal system, and I think it has significance beyond historical. It also could become part of our tourist tradition too, and they've done a —, you know, I'm sure, Jo [Hickson], you're familiar with what they've done up there, and it's just amazing what they've done really. It goes all through the city, winds all through the city, and you can take a boat ride, and I think it has potential. I appreciate —.

Ms. Hickson said, just a quick follow-up to that. When I first moved to Savannah and Chatham County, one of the first projects I learned about was the S&O Canal, and the way it was described to me was the green necklace around the City of Savannah and through Chatham County, and that it truly is and I think we need to continue to think about that. It's a beautiful environment that we live in and this is a corridor that reflects that. Thank you so much.

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

Commissioner Rayno said, I think we'd be remiss if we didn't recognize some of the early people who worked on that project, namely being the Williamsons, who worked originally on that and also I think he was a former Savannah Science Museum Director, and of course Dr. Chris Shubert, who was with Armstrong Atlantic State University as a geology professor. He also worked on that project tirelessly. Bobby Mullis [phonetic], who also was with the Savannah Science Museum was there, and Jeanie Bryant [phonetic], with secretarial skills was there doing work. So if you ever wonder what happened to the staff of the Science Museum, they all ended up at the S&O Canal pretty much.

Chairman Hair said, thank you, Commissioner Rayno. Does anybody else have any comments?

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## 8. RESOLUTION TO THE MCI HERITAGE GOLF TOURNAMENT TO ALLOW BRIAN HARMAN TO PLAY (COMMISSIONER KICKLIGHTER).

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. It's with great pride that I'm going to ask the Commission to do something here. I've known this young man for many, many years since he was a little boy, and he's still a young man. Mr. Brian Harman is only —, recently turned 17 years old. I'm going to make a motion here and then I'll kind of explain, give you a little background. I want to make a motion asking the Commission to pass a resolution to the MCI Heritage Golf Tournament to allow Brian Harman to play. Commissioner Murray said, second. Commissioner Kicklighter said, and if I could explain on that a bit. Like I said, Brian [Harman] recently turned 17 years old and we've got one of the best athletes —, he's going to top all in the sport of golf. He recently broke Tiger Woods and Phil Mickelson's record in junior golf. He won three majors in one year, which actually broke their record, which is unbelievable. He's currently the number one ranked junior golfer in the world. To run down AJGA —, that's the Junior Golf Association of America —, he won the Thunderbird International, he won the Chrysler Junior Boys Invitational, he won the U. S. Junior Amateur and made it to the quarter finals in 2002 at the age of 15, he won the Junior Polo International Junior, placed second in the Junior Rolex Tournament of Champions, he won the Georgia State Junior Boys Championship for the second year in a row, he won the Mary Calder Pro-Am. He was the first amateur to win this in 10 years and he finished 13 under par. He won the Georgia State Boy Player of the Year for 2002 and 2003, he's the Georgia Overall Player for 2003, he's the AJGA, which is the Junior Golf Association, Polo Boy Player of the Year in 2003, Savannah News-Press High School Golfer of the Year 2002-2003, Southern Golf Association Amateur Player of the Month for November 2003 —, he's the youngest male to ever receive the award. He's in the Greater Savannah Hall of Fame as Athlete of the Year in 2002, youngest to ever receive that award. His career, American Junior Gold Association low round in 2003 was a 66. He had nine rounds in the 60s in 2003, Golf Week and Titleist ranking of number one in the world for 2003. He's an amazing player, amazing young man. I believe he's a Junior in high school right now. He's got the brightest future as far as an athlete of anybody I believe we've ever witnessed in Chatham County, and I'm even a little prouder because this young's a West Chatham County resident and 20 years ago we didn't have a golf course out there for someone to grow up on and practice on, and now we have several out there and he's a bright spot for Chatham County and I believe he would be a huge draw to the tournament at Hilton Head and I'd like to ask everyone to please support and pass this resolution.

Chairman Hair said, all those that favor the motion vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes unanimously. Commissioner Kicklighter, I very much appreciate you bringing this to the Commission. This young man is certainly deserving and to somebody who's a very amateur golfer, it's amazing what this young man has done, and it would probably be more appropriate if we could get the resolution sent to MCI because it's really a sponsor's exemption, so it's MCI that makes the decision and not the tournament director. So make sure —, we need to make sure it goes to MCI because they —, and I understand they have four exemptions and we certainly would hope they would give one to Mr. Harman. Commissioner Kicklighter said, that would be great. If y'all will, just send it to the appropriate people. Chairman Hair said, Steve Wilmot is the Director. He's been over there for 15 or 16 years. He would know how to get —, you know, make sure we get this to the appropriate person at MCI. I have Steve's [Wilmot] number if any of the staff needs it. County Manager Abolt said, Ms. Tillman. Chairman Hair said, okay. Make sure that —. Commissioner Kicklighter said, and also if we could get a copy to the Harman family, I'm sure that Brian's mother will figure out a way to get it right to their hands also. Chairman Hair said, okay. Steve [Wilmot] could help us as far as who to get it to. I don't know who to contact at MCI, but Steve would know, and I've got his phone number. Thank you.

### ACTION OF THE BOARD:

Commissioner Kicklighter moved that the Board adopt a resolution to be sent to the MCI Heritage Golf Tournament encouraging them to allow Brian Harman to play in the 2004 tournament. Commissioner Murray seconded the motion and it carried unanimously.

**WHEREAS**, Brian Harman, a citizen of Chatham County, Georgia, and student at Savannah Christian Preparatory School, has established himself as America's premier junior golfer; and

**WHEREAS**, Mr. Harman has distinguished himself through competitive amateur golf on the state and national levels as the *Golf Digest 2003 Junior Player of the Year*, *Golfweek's* Titleist Ranked #1 junior golfer in America in 2003, Southern Golf Association *Amateur Player of the Month* (November, 2003, and youngest male ever to receive the recognition), and Georgia State Boy *Player of the Year* (2003, 2002), Georgia State *Player of the Year* (Overall, 2003), and AJGA *Polo Player of the Year* (Boy, 2003); and

**WHEREAS**, it would be appropriate that based on Mr. Harman's accomplishments he would be provided a sponsor's exemption to play in the MCI Heritage Classic, a PGA tournament in April at nearby Hilton Head Island, South Carolina; and

**WHEREAS**, by such a sponsor's exemption, the MCI Heritage Classic would not only demonstrate its recognition of the accomplishments of a junior golfer who lives nearby this classic PGA event but also benefit from the additional attention of such recognition, including the following of many area golfers who follow Mr. Harman's competitive events.

**NOW, THEREFORE**, the Board of Commissioners of Chatham County does by this resolution urge that the Tournament Committee of the MCI Heritage Classic give due and full consideration to a sponsor's exemption for Brian Harman and allow him to compete in the 2004 tournament.

**RESOLVED:** This \_\_\_\_\_ day of February, 2004.

\_\_\_\_\_  
Dr. Billy B. Hair, Chairman

ATTEST:

\_\_\_\_\_  
Sybil E. Tillman, Clerk

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**VI. CHAIRMAN'S ITEMS**

**1. RESOLUTION IN SUPPORT OF BRAC CLOSINGS.**

Chairman Hair said, I would respectfully ask the Commission to support a resolution in support of the BRAC closings. What this would be would be part of the caring for the BRAC process is to do what's called a JLUS, a Joint Land Use Study. This study is estimated to cost about \$200,000. The Federal Government is putting up \$150,000 of this, the State is being asked to put up \$25,000 and the remaining local communities, there's 20 cities and counties that are participating in the study. Our contribution would be a maximum of \$3,500 to support the JLUS, and it will put us in a much better position when we go to the BRAC process in 2005, and I would respectfully ask my Commissioners to support this.

Commissioner Rivers said, so moved. Commissioner Kicklighter said, motion to approve. Commissioner Thomas said, second. Chairman Hair said, second. Any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.] Chairman Hair said, the motion passes. Thank you.

**ACTION OF THE BOARD:**

Commissioner Rivers moved that the Board adopt a resolution in support of BRAC closings. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

**WHEREAS**, Chatham County recognizes that continued operation of Fort Stewart and Hunter Army Airfield is important to both Chatham County's local economy and the economy of the State of Georgia and that its operational capacity should be protected; and

**WHEREAS**, Chatham County is interested in preparing a Joint Land Use Study (JLUS) to coordinate future planning efforts of this vital military installation and surrounding local governments; and

**WHEREAS**, Chatham County recognizes that participation in development of a JLUS will benefit the health, safety, and general welfare of the residents of Chatham County.

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of Chatham County as follows:

That Chatham County agrees to participate in the development of a JLUS with Fort Stewart/Hunter Army Airfield and other surrounding communities; and

That Chatham County agrees to appoint a representative to the JLUS Policy Committee; and

That Chatham County agrees to consider funding its local matching share of the cost of the JLUS once determined by the Policy Committee and brought back to this governing body; and

That Chatham County commits to a good faith effort to implement the JLUS recommendations.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed on this, the 13<sup>th</sup> day of February, 2004.

\_\_\_\_\_  
Dr. Billy B. Hair  
Chatham County Commission

**ATTEST:**

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Sybil E. Tillman, Clerk

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## **VII. COMMISSIONERS' ITEMS**

### **1. PRESENTATION BY MR. ED PULKINEN REGARDING A FRISBEE GOLF COURSE AT TOM TRIPLETT PARK (COMMISSIONER KICKLIGHTER).**

Chairman Hair said, I'll call upon Commissioner Kicklighter to introduce this.

Commissioner Kicklighter said, thank you. I'm excited about this. Mr. Pulkinen contacted me I guess a year ago and expressed an interest in putting a frisbee golf course out in Triplett Park and told me that he was going to work on finding a sponsor or business to donate all of the equipment, and recently he contacted me and he came through just what he said he was going to do. He's found a company that's willing to install all of the equipment out there at no cost, and I'm excited about he. He, Mr. Pulkinen has been in touch with the County staff here and they're ironing out the details. We've come to the conclusion already that it can be installed without harming the future, I guess, intent of the park as we grow. So, what I'm going to do and then I will ask, and Ed [Pulkinen], your last name I stumbled over that, Mr. Pulkinen — Mr. Ed Pulkinen said, Ed works fine. Commissioner Kicklighter said, we will ask him to explain further afterwards, but I will at this time make a motion to conceptually approve the frisbee golf course. Chairman Hair asked, do I have a second? Commissioner McMasters said, second. Commissioner Thomas said, second. Commissioner Kicklighter said, and after the approval of this I'll ask you to please just get in touch with the staff and y'all at that point would iron out all the details and bring it back for, you know, complete approval, final approval. And please go ahead.

Mr. Ed Pulkinen said, let me just give you a little bit of background on this. I'm a board member of Savannah Ultimate Network, which our mission is to promote disk sports within the Savannah area. I have another board member here, Baxter Frost, and what we came upon was a organization —, corporation that designs and builds disk golf courses that's very interested in this area of Savannah because there's not anything like this between the area of Charleston and Jacksonville and up to Augusta, so they sell the little frisbees that you play disk golf with so they're interested in promoting the sport down here so they can get a little bit of business going in this area and you can have tournaments in this area. Disk golf is frisbee golf. It's played the same way as ball golf. To give you an idea of what their expectations are is they want to have a publicly accessible carrier where they can —, people can come and play free of charge, which obviously Tom Triplett fits that bill right there, and they want to professionally design it so they may be able to interest people outside of the community coming into the community to play in tournaments. Right now our process as we go along on this, first, identify the property and its usefulness for this project; second, looking at the installation to be able to install it. We will have a professional designer from the company, also free of charge, come down and design the course. The maintenance will be done by the local club as it develops and also the promotion of these events. I'd like to thank the Commission, the Chairman, Mr. Abolt, especially Commissioner Kicklighter and also Mr. Lipsey, all his support and his help that he's given us throughout the project.

Chairman Hair said, thank you. I've just got one question. Mr. Pulkinen said, yes sir. Chairman Hair asked, is it any harder than real golf? Mr. Pulkinen said, it actually —, it's easier for amateurs. Chairman Hair said, oh, it's easier. So they can —. Mr. Pulkinen said, it's easier for amateurs. I tell you one thing I really —, I like about this sport is the ability for anyone to play. We've talked with the Special Olympics Committee about being able to have some of the mentally handicapped play this sport. It doesn't matter how many times they throw it, they get it in the basket and they're excited about it and you get to have a one-on-one relationship walking through the woods with someone that generally doesn't have that type of activity. So it's a sport that does allow for amateurs, as myself. Mr. Frost there is a part of the Professional Disk Golf Association. He's a little bit better than any of us here. So for him it's a little bit easier. Chairman Hair said, thank you, Ed [Pulkinen]. Mr. Pulkinen said, you're welcome.

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, Ed [Pulkinen], I want to thank you for bringing this to the attention of the Commission and I've played a lot of disk golf in California, Oak Grove, La Mirada, UCSB, Paradise Park and Santa Barbara, and I know personally how exciting and how much fun and what great recreation it is, so I commend you and I'm sure that when this is up, the citizens of Chatham County will really, really enjoy this activity. Thank you. Mr. Pulkinen said, thank you.

Chairman Hair recognized Youth Commissioner Jackson.

Youth Commissioner Jackson asked, when do you think this project open for business? Mr. Pulkinen said, well, it will depend, but I think our first step is going to be taking a look at the property and presenting a design and making sure that that works with what the master plan is for the park and make sure that is the right place for it. Once we get beyond that, the baskets are in a warehouse tagged for Chatham County. We just need to find the right place and the right design for it and then we can go from there.

Chairman Hair said, thank you. All those in favor of the motion vote yes, opposed no. The motion carried unanimously. Chairman Hair said, the motion passes.

Commissioner Kicklighter said, Ed [Pulkinen], I really appreciate everything. Chairman Hair said, thank you. Mr. Pulkinen said, thank you.

#### **ACTION OF THE BOARD:**

Commissioner Kicklighter moved that the Board conceptually approve a frisbee golf course at Tom Triplett Park. Commissioners McMasters and Thomas seconded the motion and it carried unanimously.

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## **2. BLOOMINGDALE ANNEXATION (COMMISSIONER KICKLIGHTER). SEE ATTACHED MAP AND PHOTOGRAPHS AS WELL AS CORRESPONDENCE FILE.**

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. Commissioner Odell asked, are we annexing Bloomingdale? Chairman Hair said, we haven't [inaudible]. Don't give him a heart attack. Commissioner Kicklighter said, I asked Mayor Rozier if he would attend today because I've, as well as the Mayor, we've both been sitting reading where the County staff as well as the Bloomingdale staff, they've done a fine job of writing letters back and forth about a proposed annexation. Both areas of the employees are looking out for the best interests of their respective governments, but we really didn't seem to be getting anywhere with the letters going back and forth. So I asked the Mayor to attend and briefly just explain to us what their intent is in this area where we can have some type of dialogue other than just the back and forth letters and we can hopefully solve this in a peaceful manner. Mr. Mayor?

Mayor William Rozier said, good morning. Thank you, Mr. Chairman and Commissioners, for allowing me to come and talk to you this morning. Back in January we had a citizen come to us and he said he wanted to be annexed into the city limits of Bloomingdale. He had —, then had property in the city already and he bought some property out in the Osteen Road area and would like for it to be annexed under the contiguous method. However, his property was not contiguous. He went to people that had some contiguous property, the Morgan family, and they also asked to have their property to be annexed, this one piece that is contiguous to us, and making his piece contiguous as well. The property is about 52 acres of the first citizen's property and the Morgans have about 100 acres on their property they want annexed in the City of Bloomingdale. And I received a letter from Commissioner Kicklighter saying that there was some question about us taking responsibility for the completion of Osteen Road that joins this property. It allows this property to come into the City of Bloomingdale. I'm going to hand this right now to Mr. Abolt. This is a letter I got from Thomas & Hutton Engineering concerning the repairs of the bridge over Wild Cat Dam Road and the Hardin Canal and the band-aid cure is going to cost us about \$38,000 and completely repairing the bridge the cost will be about \$97,000 completely replacing the bridge. There is a bridge at the end of the Bloomingdale section over Osteen Road and that bridge was mentioned when the DOT asked us to close the bridge over Hardin Canal, and that bridge was mentioned. It was in good shape, but there are a few faults on it that need to be corrected and before Bloomingdale would take —, before the Council wanted to take in that bridge and that road, they would like to have that bridge looked at and make sure that it passes all the specs that DOT requires before we wish to annex that —, that portion of the road. However, these two citizens came to us and they —, we have met the requirements set forth in the annexation guidelines to annex the property under the contiguous method and that's what we would like to do. After that bridge is taken care of, we'd be more than happy to look at the road also, but right now we still need to fix the Wild Cat Dam Road bridge. I came to you last year and we —, the Commission approved up to \$10,000, up to half of the cost of repairing the bridge, which now, like I said, the band-aid cure is \$38,000, which I believe Thomas & Hutton is actually working for the Commission as far as widening the Hardin Canal and it's the same part and it's the same canal, Hardin Canal, that this bridge on Osteen Road is concerning. But if there's any questions, I'd be more than to happy to answer them. We're willing to take the bridge in and the road as long as the bridge is met up to standards.

Chairman Hair recognized Commissioner Odell.

Commissioner Rayno said, I'm just in awe that they want the property, but they don't want the problems associated with it.

Commissioner Kicklighter said, okay. Can I talk? Chairman Hair recognized Commissioner Kicklighter. Commissioner Kicklighter said, okay, here's the issue. They want to annex part of —, there's a road, there's a bridge that DOT already said is in bad shape. Okay, they want to annex one side, we on the other. Why should they go in there

knowing that the bridge needs repairing and take over that portion of the road? Commissioner Rayno said, because they'll get a digest increase for their tax purposes. Commissioner Kicklighter said, because here's —, here's the —, here's the part. Even when their attorney believes that they don't need our approval. They have a contiguous line. He believes they could beat us in court and could annex it anyway without our approval of anything, but we believe —, our attorney believes that we could file an injunction and block it. I figured we could come be civil and work out the problem here rather than going to court and somebody's going to be right and somebody's going to be wrong, and who knows who that will be. But, you know, in the interest of a government body working with another one like we should do, you know, we could sit down now that we know the bridge is the issue, and that's the dollar item we wasn't —, no one hit on when their attorney wrote back and forth to our attorney the bridge I don't even believe was mentioned in that. So now at this point I believe to move further in a peaceful manner we could ask the DOT to take a look at that specific bridge and see what kind of problems they're having.

Chairman Hair said, Commissioner Odell and then I have and then, Commissioner Rayno, if you have any other comments. Commissioner Rayno said, I'm done, thank you.

Commissioner Odell said, the property which you seek to annex is adjoining to other properties, which is a part of Bloomingdale now. Is that true? Mayor Rozier said, yes sir, that's correct. Commissioner Odell said, okay. And how much property are we talking about that you seek to add? Mayor Rozier said, on the Morgan property I believe it's less than a hundred acres and the Tyler property's about 50. Commissioner Odell said, and the reason for this annexation is a citizen came to you and said, "I'd like to have my property annexed into Bloomingdale." Is that true? Mayor Rozier said, yes sir, that's correct. Commissioner Odell said, your request or your desire would be that you annex the property but not annex the road. Mayor Rozier said, not until the bridge is taken care of, no sir. Commissioner Odell said, absolutely. And the bridge leads to the property owner's property who sought the property to be annexed. Is that true? Mayor Rozier said, that's partially a true statement, yes sir. Commissioner Odell said, okay. Mayor Rozier said, there's a lot of property down that road. Commissioner Odell said, right. Mayor Rozier said, we're only talking about one piece. Commissioner Odell said, right, and ultimately it's in the community's best interest if we can open that property up. Mayor Rozier said, yes sir. Commissioner Odell said, it will increase the tax base, but as of now Bloomingdale you want the property, do not want the road, and the reason you do not want the road is that there's a bridge which there's a band-aid repair cost of approximately \$35,000. Mayor Rozier said, no sir, there's two bridges, okay. The first bridge is the bridge over the Hardin Canal and on Wild Cat Dam Road which the Commission approved last year to help us repair because it was given to my predecessor. Okay? That's one issue. The second issue is I don't want to annex another bridge that's bad that we're going to have to repair if it already needs repairs now. I'd like for it to be fixed first and then we can, you know, talk about coming —, taking it in. We don't have a problem with maintaining the road per se, but the bridge is another issue. Commissioner Odell said, yeah. This is what I'm [inaudible] at. I support the Commissioner from the Seventh District, but my concern is you want to annex property to increase your tax base, but before you take part of the road which is contiguous to that property, you want us or somebody to repair the bridge, but from there and forever and a day you will receive the tax benefit of annexing that property. Is that what we're talking about? Mayor Rozier said, that's basically it, yes sir. Commissioner Kicklighter said, but with one exception. You don't have taxes. Mayor Rozier said, right. Commissioner Kicklighter said, so you're not receiving any —. Mayor Rozier said, we do do the SPLOST and the LOST revenue and, of course, you know, but there's no city tax and there's not a real big gain on one piece of property. Commissioner Odell said, yeah, I understand, but still even if you don't have taxes, where I live I do have taxes. Mayor Rozier said, I feel for you Mr. Odell. Commissioner Odell said, and I feel for you, Mayor. I'd like to see a happy medium and I think a happy medium is that if we could get some agreement —, we will have one-half —, the other side of the road. We will have that property in the unincorporated and my understanding is that you will have —, say, you'll have the right and we'll have the left, depending on how you're turned. Mayor Rozier said, for a small portion. There's a lot of property that's still going to be in the County way past these two pieces of property that I'm talking about. Commissioner Odell said, yes. Mayor Rozier said, on both sides of the road, but I'm just talking about the first two pieces of property on the right hand side as you're going down Osteen Road across the bridge over the Hardin Canal. But we have come to an agreement in my opinion on the bridge over the Hardin Canal on the Wild Cat Dam Road, and I don't see why at a later date we can't come to an agreement on this one here. I have talked to the City of Bloomingdale, as I was requested to do back last year when I came to the Commission asking for help and the City of Bloomingdale and the City of Pooler said that yes we'll go together and we'll fix it. I talked to the Morgan family who actually owns the property on the Wild Cat Dam Road side and I'm not trying to confuse the issue here, but, you know, there's two bridges that I'm talking about, one of them we've already got that we have to fix and another one we're looking at that I really don't want to get until it's fixed and I'm trying to circumvent the problem that we created last time. Commissioner Odell said, we gave the \$10,000 as our share —, up to \$10,000. Mayor Rozier said, that was pledged, it hasn't been gave [sic] yet. Commissioner Odell asked, it hasn't been given yet? Mayor Rozier said, no sir. I just received a letter January 20<sup>th</sup> from the engineering firm and we've come up with several different solutions to it and none of them were up to standards of the County Engineer and we went to the engineering firm that they're using to work on the Hardin Canal and asked them what they would do, and January 20<sup>th</sup> of this year is when I got back a letter and I've brung it —, I brought it today. Commissioner Odell said, okay. My last statement is that Mr. Morgan is an attorney, I'm also an attorney. So that the Savannah News Press does not print that because he's an attorney and I'm an attorney that my position is being swayed because we both to the bar exam. Mayor Rozier said, well, Mr. Morgan is only like one-fifteenth of the —. Commissioner Odell said, that was said as a joke. Mayor Rozier said, I understand. Commissioner Odell said, — because of the fair and balanced reporting of the Savannah News Press. That's why I was saying that.

Chairman Hair said, Mayor Rozier, I've got a couple of questions. Mayor Rozier said, yes sir. Chairman Hair said, and then Commissioner Murray is next. What benefit is it to the City of Bloomingdale to annex this property? Commissioner Odell said, to get rid of Henry Morgan. Chairman Hair said, what benefit? You know, you're here

proposing and supporting the annexation. My question is why, why does the City of Bloomingdale want to do this? Mayor Rozier said, we had a citizen come to us that had just purchased this property who owns property in the City of Bloomingdale and that citizen said that they would like to have that property annexed into the city based on the contiguous method because it was so close. We went back and we looked at the records and it was real close, but it wasn't close enough just on that one piece, but the Morgans' property was and so that citizen went to the Morgans and asked the Morgans if they would annex their piece, thereby allowing him to annex his piece under the contiguous method. Chairman Hair said, I understand that, Mayor. That's not my question. I understand it will benefit the property owner. Mayor Rozier said, it doesn't —, it doesn't benefit us a whole hell of a lot. Chairman Hair said, well, it if doesn't benefit you, why are you here? Mayor Rozier said, I'm just trying to answer a request by a citizen and I was asked to come here by Commissioner Kicklighter. Chairman Hair said, let me ask a question of the attorney. Doesn't —, when a city annexes a piece of unincorporated Chatham County, does not Chatham County receive less taxes on that property after it's annexed? Commissioner Murray said, you would lose the Special Service District tax. Chairman Hair said, so we're —, so Chatham County's going to lose revenue, okay, and you're not going to benefit revenue-wise, so Bloomingdale's not going to get anything for this and Chatham County's going to lose revenue from this, plus you're asking us to fix the bridge. Commissioner Murray said, yep. Chairman Hair said, it seems to me, and Commissioner Kicklighter's looking for a compromise, you know, I would —, since the fact that half on the other side of the road still is going to be unincorporated Chatham County and the other half's going to be Bloomingdale, I could support a 50/50 arrangement where if the City of Bloomingdale is willing to fund 50% of the cost of the bridge, I could support us funding the other half because we're still going to own the other side of the road, and that makes sense to me, but for Chatham County to assume 100% of the cost of this bridge when we're going to lose revenue and you're not going to gain any revenue, it just doesn't make any sense to me and I couldn't support that. But I could support a 50/50. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yeah, I see Mr. Morgan sitting there. I don't know if Mr. Tyler is here or not, but if they're the ones that will benefit, the property owners will benefit because they will —, if this is annexed into Bloomingdale and Bloomingdale does not have property tax, Chatham County will lose the SSD tax that they are now paying. Mayor Rozier said, yes sir. Commissioner Murray said, I don't know what that amount of money is on that property, but if that is the case, then why are the two property owners not willing to foot part of this bill? They're the ones that will be benefitting from it. Mayor Rozier said, well, there's a lot of other property owners down that road that will benefitting from it too, okay, and —. Commissioner Murray asked, they're going to be benefitting from annexing their property? Mayor Rozier said, benefitting from the repair of the bridge. Commissioner Murray said, I'm talking about the property that they're asking or requesting be annexed into Bloomingdale. Based on what you said, you've got 200 acres of land between the two —. Mayor Rozier said, about 150. Commissioner Murray said, all right, between the two properties. Mayor Rozier asked, how big is your piece, Henry [Morgan]? Mr. Morgan said, it's about 120. Mayor Rozier said, about 120 and the other one is 50, so we're —. Commissioner Murray said, I'm sorry, I thought you said, 150 and 50, but —. I don't mind a compromise either and I don't mind supporting a compromise, but I will not vote for Chatham County to pick up 100% of the cost in any form or fashion whatsoever when we're going to lose you and you, as the property owner, are going to gain on it and the other property owner's going to gain. And I don't blame them for wanting to do that. If I owned the property, I'd want to do it too. Mayor Rozier said, there's 10 —, say, if there's approximately 10,000 acres down there serviced by that road, we're going to annex 200 of that 10,000 and you want us to give you half the money to fix the bridge? I don't think that's fair either, Mr. Murray.

Chairman Hair said, okay, Commissioner Kicklighter and then Mr. Jackson.

Commissioner Kicklighter said, thank you. As a former mayor of a city with no taxes that virtually doubled the size of that city, I'll tell you the benefit of annexing land in a city that has no taxes. When the area finally grows, you're adding to the population. When the LOST sales tax negotiations come up, you gain in that because your population increased. When the SPLOST negotiations comes up again, you gain in that. I know with Garden City sales tax was basically 50% of the revenues that we received there. Bloomingdale in recent years had a population, I guess, decline along with Savannah, a small decline in both cities. So, you know, expanding their area will eventually with all of the growth going towards the Westside right now because that's the only place to grow. There is a direct benefit on expanding your city's size because you will increase your population and if you annex areas that's commercial, you will increase your occupational taxes there with business licenses and so there is a definite benefit. Annexing at this time, that's a city's call. To know whether or not they can sustain the possible loss, but with an area this small they're not going to actually lose money, but, you know, because it will be a while before we renegotiate the LOST and everything, but they will definitely gain in the future by annexing land out in that area, all that they are tax free. But as far as the 50/50 split, you know, I don't know. I thought we could have a peaceful thing. I respect the Mayor and his job and I didn't ask him to come up here to get him beat up or anything, and, you know, I don't think that we would beat up the Mayor of another —, of the City of Savannah like we've beat this man up here today, and I don't —. Mayor Rozier said, I don't take offense to that at all, but I think there's one thing —. Commissioner Kicklighter said, but I will ask if they —, if they feel —, Mayor, if you feel strongly that your attorney's advice was correct, move forward with your annexation. His recommendation was that y'all don't need our approval. Y'all move forward and let's see what happens because you, you know, I don't think you have to sit out there and be dictated to by this body. So I would move forward with what I think is correct. If you, as the Bloomingdale's representative, if you feel the 50/50 split is fair, take that to your council. If you don't, if you think your attorney's correct and this attorney's wrong, move forward and annex the land.

Mayor Rozier said, there's one thing that we might need to revisit, okay. The bridge is not closed. It is not in dire need of repair. It was mentioned in the letter that we received when the Wild Cat Dam Road bridge was closed, but it was mentioned that some structure problems needed to be looked at. It might not be a big problem. I don't know how

much it's going to cost to fix the bridge. It might be 50 bucks, you know, and then a 50/50 split would be \$25 apiece, which would make this a moot point, but we need to revisit that and unfortunately I do not have that with me today about how much it would cost to fix the bridge, if there is indeed any major problems with —, but the bridge issue was on reason that we did not want to annex the road because I didn't want to take another bridge into the City of Bloomingdale that needed to be fixed at the tune of 30 or \$98,000, you know, and then —, and cause another burden on us. And the only reason I'm here today is because I was invited by Commissioner Kicklighter to try to clear up the misconception about why we wanted to annex the property. The only thing that I had was this citizen came to us and petitioned us for annexation and, you know, the Council voted and said, "Yes, we will annex —, we will annex the property under the contiguous method."

Chairman Hair said, thank you, Mayor. Commissioner Rivers said, Mr. Chairman. Chairman Hair said, Mr. Jackson, Commissioner Murray, Dr. Thomas and Commissioner Odell and Commissioner Rivers. Chairman Hair recognized Youth Commissioner Jackson.

Youth Commissioner Jackson asked, if —, how long —, if y'all came to an agreement, who will foot the bill of the bridge right now? Who —, if y'all —, if you don't fix things and Chatham County doesn't fix it, who will fix the bridge eventually either way? Because it seems like the whole problem right now is the bridge itself, the price of the bridge. Mayor Rozier said, Chatham County will fix it. Youth Commissioner Jackson said, so if no one —. Huh? Mayor Rozier said, Chatham County will fix it because it's over a County canal and it's their responsibility. If we don't take it now, then they'll have to fix it anyway. Chairman Hair said, that is correct. That part's correct. I agree with that. The Mayor is correct. Commissioner Odell said, good question.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Mr. Drewry, since the bridge is supposedly the real holdup in this whole thing, do you have anything on the bridge of what kind of problems that bridge has right now and what it's going to cost to fix it or anything? Mr. Robert Drewry said, I wasn't prepared with the Georgia DOT 2002 inspection report. I have it and —. Commissioner Murray said, well, we didn't know the bridge was the problem until today. Mr. Drewry said, I will tell you this. It was not flagged on the report as having structural problems. Even —, it probably was listed as good condition, otherwise it wouldn't have been flagged. So structurally probably in good shape. Yeah, maintenance items probably so, but I don't have those specifics with me. Commissioner Kicklighter asked, so could this be a minor problem? Mayor Rozier said, it could be a very minor problem. I mean, the bridge has not been closed like the Hardin Canal bridge was —, on the Wild Cat Dam Road. Commissioner Murray said, well, that's why I was asking the question. If we could find out what the cost is going to be to fix the bridge. The other thing I'd like to say, Commissioner Kicklighter, I don't think anybody was trying to beat up on the Mayor. We were just asking questions and expressing some feelings about what we thought may or may not need to be done and trying to work something out. I don't think anybody is out here to try to attack anybody. Mayor Rozier said, he's just looking out for me. Commissioner Murray said, but anyway, I still feel if we can get the cost figures on that, but I guess the other question I had is with all the negotiations back and forth between the County Attorney and y'all's attorney about this annexation nothing was ever mentioned about the bridge. Why was this not brought up if in fact it's the main factor of why it shouldn't be done or should be done? Mayor Rozier said, that I can't answer. I don't —, I wasn't privy to the information that the County Attorney and our attorney —.

Chairman Hair said, Mr. Abolt's got —. County Manager Abolt said, it never was brought up. You have all the correspondence —. Commissioner Murray said, that's what I'm talking about. County Manager Abolt said, — you have all the correspondence in front of you. When I had the opportunity to talk to the attorney for Bloomingdale, I believe, and I think he's confirmed this conversation, he saw the logic of the City of Bloomingdale doing what we're asking them to do. Never in any of that conversation was anything mentioned about a bridge. Mayor Rozier said, I think that was why I was invited here today to try to clear up, you know, some of our reasons of why we didn't want to take the road in yet. County Manager Abolt said, thank you.

Chairman Hair recognized County Attorney Hart.

County Attorney Hart said, yeah, on behalf of the County and County Attorney's office, I don't think that there's ever been any threat of litigation involved in this. The only point the County Attorney's office has made is to express the policy of Chatham County, which has been a long standing policy of Chatham County that when there is annexation please take in —, if you want the infrastructure and you want the tax base, please take in the roads. Somebody needs to maintain those roads and the last thing we need to have is a County that is maintaining roads in eight different municipalities and having to coordinate that with the municipalities. Now, there —, at one point there was a discussion of the possibility of doing that and then there was a discussion that there was not a need for that. We pointed out a provision in one of the code sections that indicated on annexations that roads could come into play, and the State —, this is recognized as an issue throughout the State, and we indicated that we may wish to exercise our rights under the service delivery statutes to see if there's a means to reach an agreement if there was an agreement there, and that's all we ever said.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, you also have the issue of, Dr. Thomas and gentlemen, if you look at the colored map in the packet, it goes beyond just road maintenance, and I appreciate the desire to be Solomon-like and come up with a way of solving and dealing with road maintenance, and I applaud what certainly so many of you are trying to do, but

it goes beyond road maintenance and we've seen it before all over the County. What if there's a traffic accident and what side of the road is the traffic accident on? There has to be some logical boundaries for service and in my estimation it goes beyond just the road maintenance. You can see that eventually this will all be Bloomingdale, but the big to the extent that the boundaries are now illogical, we have service delivery problems.

Chairman Hair said, Dr. Thomas and then Commissioner Kicklighter and then Commissioner Rivers.

Commissioner Thomas said, Mr. Chairman, I think my frame of reference has been alluded to and that was the cost of fixing the bridge, which was never in play from the beginning and, if that's the case, I feel that we need to probably go back to the table and see if we can come up with something at a later date and then bring it back to the Commissioners.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you. Believe or not, I think we've accomplished part of what I wanted to accomplish by bringing you here today. I think this could be something that we can just table this thing right now, we can go direct staff to take a look at the bridge. It could be so minor that it works out great. So, you know, in my estimation we'd move forward. At this time I'll make a motion to table and to go take a look at the bridge and then come back at a later date.

Chairman Hair asked, does that motion have a second? Commissioner Thomas said, second. Chairman Hair said, a motion to table is not debatable. All those in favor of the motion to table vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you, Mayor. I appreciate you being here, Mayor. Mayor Rozier said, thank you.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, I didn't get it in, but what I was thinking was that, just like we looked at the Islands with the State law, that we direct State law to look at annexation and when we are annexing like that, that they attune everything and not leave that out there. That's not an island, that's a pothole we're leaving out there. Chairman Hair said, I agree.

Commissioner Rayno asked, could we also have a report on how much revenue we're going to lose in the SSD? Chairman Hair said, that's a good question too. Could we also —, that should be easy —, that's a good point, Commissioner Rayno, very good point.

#### **ACTION OF THE BOARD:**

1. Commissioner Kicklighter moved that the issue of annexation by the City of Bloomingdale be tabled and staff be directed to look at the bridge and determine what it necessary to repair the bridge on Osteen Road. Commissioner Thomas seconded the motion and it carried unanimously.
2. Commissioner Rayno requested that staff also report to the Commissioners on the amount of revenue the County will lose in the Special Service District if the property in question is annexed by the City of Bloomingdale.

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Chairman Hair said, before we move I'd like to recognize my dear friend, former Mayor Adams, who is here. We appreciate him —. Do you miss any of this, Mayor Adams? You came up to get your fix, right? We appreciate you being with us today.

Commissioner Kicklighter said, Garden City Mayor Quinney was here. I don't know if he left or not. Chairman Hair said, I didn't recognize him. Is Mayor Quinney —, I didn't recognize him. I didn't see him earlier, I just saw Mayor Adams.

Commissioner Rivers asked, what does the former Mayor want? Chairman Hair said, he's just here to observe.

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3. **LOCAL INVOLVEMENT IN CONTRACT STATUS (COMMISSIONER MCMASTERS). BEST VALUE CONTRACTING PRESENTATION BY DR. PHILLIP LAPORTE, DIRECTOR OF LABOR STUDIES, GEORGIA STATE UNIVERSITY (COMMISSIONER MCMASTERS). (Note: Postponed to February 27, 2004, meeting.)**

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**4. COST SHARING WITH TOWN OF VERNONBURG AND CITY OF SAVANNAH TO DO AERIAL THERMAL IMAGING (SEE ATTACHED REQUEST FROM VERNONBURG INTENDANT, JAMES HUNGERPILLER) (COMMISSIONER GELLATLY).**

Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, this is a study that needs to be made by three different governmental bodies, including ourselves, and it deals with cross-contamination of some of the waterways in the Vernonburg area. This \$5,000 would be for a study of what the problem is and how to fix it, and I'd like to make a motion that we give \$5,000 out of the Contingency fund. Commissioner Odell said, second.

Chairman Hair asked, any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes unanimously.

**ACTION OF THE BOARD:**

Commissioner Gellatly moved that the County contribute \$5,000 from Contingency as a cost sharing with the Town of Vernonburg and the City of Savannah to do an aerial thermal imaging. Commissioner Odell seconded the motion and it carried unanimously.

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**CHATHAM AREA TRANSIT AUTHORITY**

The Board recessed as the County Commission at 10:40 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 11:58 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 (\*).

None.

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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. TO PRESENT YEAR END FUND BALANCE RECONCILIATIONS BASED ON AUDIT, BUDGET AMENDMENT AND BUDGET ADOPTIONS FOR ENCUMBRANCES, INCOMPLETE PROJECTS/EQUIPMENT PURCHASES AND FUND BALANCE RESERVES AT YEAR END 2003 FOR THE GENERAL FUND M&O, SPECIAL REVENUE FUNDS, AND CAPITAL IMPROVEMENT FUNDS.**

Chairman Hair asked, any questions on that item? Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I would like to make a motion to approve those items that are listed in Facts and Findings #1, #2, #3, #4, #5, #6 and #7. Chairman Hair said, okay, the motion is to approve the Facts and Findings 1, 2, 3, 4,

5, 6 and 7. Do we have a second to that motion? Commissioner Gellatly said, second. Chairman Hair asked, any discussion of that motion? All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

Chairman Hair said, next item —. Commissioner Murray asked are we going to do the others individually. Commissioner Rayno said, I'd like to discuss the others. Chairman Hair said, certainly.

Commissioner Rayno said, on the sales tax funds starting with #9 —. County Manager Abolt said, page two, sir.

Commissioner Kicklighter asked, Mr. Chairman, can I —? Chairman Hair said, go ahead. Commissioner Kicklighter asked, Mr. Rayno, can I interrupt and ask —? Commissioner Rayno said, yes. Commissioner Kicklighter said, in pre-agenda, John —, Commissioner McMasters discussed this pretty good. County Manager Abolt said, no. Commissioner McMasters said, no. Chairman Hair said, not this one. County Manager Abolt said, no, not this. Commissioner Kicklighter said, okay, this wasn't the area. Okay. Commissioner McMasters asked, may I clarify this for my colleague? What we were discussing was the second quarter financial reports. Commissioner Kicklighter said, okay.

Chairman Hair said, continue, Mr. Rayno. Commissioner Kicklighter said, sorry.

Commissioner Rayno said, thank you. I did a comparison between what we approved back in June of last year and then look at what was listed on page 22 for 1985-1993, this would be the revenue summary, and the difference between the two figures in the Department of Transportation reimbursement was an increase of \$100,000, there were increases in rental income of \$60,000, an increase in interest income of \$400,000 between the two budgets and then an increase in interest income on restricted cash of \$17,000 roughly and an increase in miscellaneous income of \$700,000, and I guess my question is we seem to be approving a lot of money in interest and we have project budgets in the expenditures for 1985 through 1993. I'm wondering what we're doing with all this interest revenue that's coming in. I certainly hope they're just being added to projects that already exist and I was wondering if they're not, could we not use that money for projects related to roads, streets and bridges?

Chairman Hair recognized the Finance Director, Ms. Linda Cramer.

Ms. Cramer said, I believe a little bit of that is [inaudible] that, the interest is being allocated down to some of the projects. Now I think Mr. Bungard could probably be more specific —. County Manager Abolt said, because that's —. Ms. Cramer said, — and identify which projects. He's fairly restricted about how he uses that money. County Manager Abolt said, yes, and the problem has been in the past that we've not been able to do that. We're correcting that, but —, is Al [Bungard] here? Where's Al? Chairman Hair said, we'll get Mr. Bungard here.

Commissioner Rayno said, I'm not so sure that these things can be addressed in this meeting, and because it gets even more pronounced when you move into sales tax two, and one of the funds has an additional \$900,000, I was wondering if we could table these until the next meeting and maybe perhaps if the questions asked and answered or we might even have a workshop talking about big spend —.

Chairman Hair asked, Mr. Abolt, if we table these items, will it cause any problems for the staff? County Manager Abolt said, looking at these three funds, I don't think so. Chairman Hair said, I'll entertain a motion then. Commissioner Rivers said, so moved. Chairman Hair asked, second? Commissioner Kicklighter said, second. Chairman Hair said, a motion to table is not debatable. All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rayno, Rivers, Murray, Odell, Kicklighter and Thomas voted in favor of the motion. Commissioner McMasters voted in opposition. The motion to table carried by a vote of seven to one. [NOTE: Commissioner Gellatly was not present when this vote was taken.] Chairman Hair said, the motion passes. And also if we could make sure, Commissioner Rayno and Commissioner McMasters, if you get specific questions to Ms. Cramer so that they can be answered prior to —. Commissioner Rayno said, yeah, I already —. Commissioner McMasters said, I asked to speak on the subject and I was never recognized. Chairman Hair said, Commissioner McMasters, table —, a motion to table is not debatable, sir. That's the way the rules are. Commissioner Rayno said, and any questions you now have two more weeks to ask them. Chairman Hair said, that's exactly right, so —. Commissioner McMasters said, I'll hold my questions. Chairman Hair said, it's been tabled. Okay.

Commissioner Murray said, quick trip and we appreciate it, but we don't need you now. Chairman Hair said, we appreciate you being here, Mr. Bungard.

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County Attorney Hart said, Mr. Chairman. Chairman Hair said, yes sir. County Attorney Hart said, somewhat out of order, but information was brought to me by the County Engineer that the Commission may wish to entertain about tabling Item 1 under the Actions for Individual Action in that it may impact some of our road projects. I believe Mr. Bungard has a much explanation than —. Commissioner Murray asked, Item 1 on the Action Calendar? The Clerk said, Individual. Chairman Hair said, we —. County Attorney Hart said, Individual. Excuse me.

Chairman Hair said, yeah, we —, what we did was approve 1 through 7 and we tabled the last three. Mr. Bungard, if you want to make your pitch to Commissioner Rayno, you can.

County Engineer Bungard said, well, I'm just confused. On my trip down —, when I walked in I heard that the sales tax two budget amendment was tabled and there's a reprogramming action there for Middleground Road for 6.5 million to eight, and if that's not approved, we can't cut the check for the final acquisition for Atlantic Armstrong and I can't certify right-of-way next week and then we'll just delay the bid opening for Middleground by a month. That's the —.

Chairman Hair recognized Commissioner Rayno.

Commissioner McMasters said, one was not an issue. Chairman Hair said, no, it —, yeah, we only approved 1 through 7. We tabled the last items. County Engineer Bungard said, I was just told the sales tax two budget amendment was tabled. County Manager Abolt said, Mr. Bungard's right. Permit me —. Commissioner Kicklighter said, he went back to item —, he just walked in late.

Chairman Hair said, Item #1 under Individual Actions, we only approved 1 through 7. That was Commissioner Rayno's motion. Correct, sir? Commissioner Rayno said, yes. Chairman Hair said, okay, we did not approve the others. We tabled the other parts of the item. That's what the record is. Commissioner Murray asked, 9, 10 and 11, does that affect what you —. Chairman Hair said, Mr. Bungard, you need to —. County Engineer Bungard said, I don't have a copy so I don't know what those items are. County Manager Abolt said, it does. Chairman Hair said, let's go ahead. Look at that, Mr. Bungard, and we'll go ahead and finish the rest of the calendar and if you still have concerns, we'll bring it back up before the meeting ends.

[NOTE: At this point the Chairman returned to the regular agenda schedule with discussion on Item X-13-C.]

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Commissioner Murray said, under the Action Calendar [sic], that Item I that we approved everything —. Chairman Hair said, not Action Calendar, it was Individual Items. Commissioner Murray said, well, Individual Items, that we approved —. Chairman Hair said, we approved 1 through 7. Commissioner Murray said, 1 through 7. Chairman Hair said, we did not approve the others. Commissioner Murray said, well, what was misleading to me, and it's still misleading and I don't know if I understood the explanation we just a minute ago. Can I ask a question on that? Ms. Cramer said, certainly. Commissioner Murray said, 9, 10 and 11 all say a decrease in revenue. I don't know whether Ms. Cramer or Mr. Bungard or who wants to try to explain it. Chairman Hair said, those are the ones that were tabled. Commissioner Murray said, they were tabled, that's right. Chairman Hair said, I just want to make sure —. Ms. Cramer said, these are really amendments about the fund balance and how it fluctuates from year to year since they're all forwarded to fund balance. Commissioner Murray said, yeah, but they're all three decreases in the fund balance after they were audited. Ms. Cramer said, right, and I think if you go back to the alternatives, it's stated a little bit more clearly that budget amendment decreasing the fund by \$966,551 in fund balance in the '85 to '93. That's on page four. Commissioner Murray said, well, what I'm trying to find out is how does this affect the projects that you were saying it affects? I mean, because they're decreases —. County Engineer Bungard said, we work on unaudited figures for most of the year and Budget tells me you have so much money in the bottom line to allocate towards certain projects, and we do that based on the best guess we can at the time. And so they say, okay, this is how much money you have left to operate for the rest of the year for these projects, and then if I think one of your questions, sir, was then how does that —, where does that money go, we allocate that money into projects that are not yet done. In the case of sales tax one, every penny goes back into a project not yet done, and there are no new projects on there because we haven't met our commitments yet. For instance, Truman Parkway. If there's a million dollars available, I put it on a project. In this case of sales tax two, we're at the point where we had budgeted or the Board approved \$6.5 million for Middleground Road. I found out that the final negotiations for the Atlantic Armstrong acquisition was \$860,000, I found that our utility relocation cost for the City of Savannah's water/sewer line was \$650,000. We have some monies in the courts for outstanding condemnations and we thought potential liability there a couple hundred thousand. So I took the funds available, they are in the fund balance that were not needed also in other projects. You'll notice I closed one or two out. I do this twice a year now, minimum once a year, and put that \$1.5 in the Middleground Road. If the Board doesn't approve the budget today, we can't actually cut the check to Atlantic Armstrong to certify right-of-way by the end of March. That's the consequence of —.

Commissioner Rayno asked, you need the full \$4.4 million? County Engineer Bungard asked, sir? Commissioner Rayno asked, is that what you need, \$4.4 million? County Engineer Bungard said, no, we increased Middleground from \$6.5 to \$8 million. County Attorney Hart said, so you need number —.

Chairman Hair said, he needs a million and a half. County Attorney Hart said, you need #10 then? County Engineer Bungard said, I need #10. County Attorney Hart said, he needs the amount in #10.

Commissioner Rayno asked, how much do you need for the check? County Engineer Bungard said, \$870,000. Commissioner Rayno said, even if we tabled this, you could still pull it out of the old budget. It's there. County Engineer Bungard said, no sir. We've spent \$6.4 million of the \$6.2 already. That's already encumbered for right of acquisition and actual utility relocation costs. Commissioner Rayno asked, and that shows up in the CAFR? County Manager Abolt said, all these are —, flow from the CAFR so I would have to assume yes. County Engineer Bungard said, no, I think the cutoff date will change there —, the cutoff date for the CAFR was June 3<sup>rd</sup>. County Manager Abolt said, good point. Thank you, Al [Bungard]. That would be as of the end of the fiscal year. Let me —, I know where we are on the agenda, I don't want to speak if I shouldn't speak. One of the things I recall very much Commissioner Murray used to always held us to task on where the SPLOST money is, where it's going. All we're doing now is making sure that is in the right place. Commissioner Rayno said, here's what's confusing, and this is why the [inaudible]. What

was approved as part of the project detail for revenue summary this year for like, for instance, interest income, the new one that we've got here that we're supposed to approve today is \$50,000 more than what it was at the time of approval when the budget was passed. It influences on restricted interest on drainage. There's \$24,000 more there. On other income there's —, not that one, GA BOE construction grant and then below that there's rent revenue, there's an additional \$4,000 and then there's a fund reimbursement for Hutchinson Island utilities for \$900,000. County Manager Abolt said, but again —, let me try. If I may, maybe I know the answer. Commissioner Rayno said, interest over —. County Manager Abolt said, now that you're being very specific, and I appreciate that, I believe the answer is as with anything else in an adopted budget, you adopt the budget —, the Board adopts the budget in the summertime. Those are based on certain assumptions and unaudited figures. Commissioner Rayno said, uh huh. County Manager Abolt said, and this like it would be in any account results a definite —, a time in which, the first of July or whatever Ms. Cramer tells me, that we know exactly what's in there, and so we do want to follow that knowledge that comes out of the CAFR in amending the budget so we're not faced going forward with numbers that are not only suspect, but cannot be substantiated in the CAFR.

Commissioner Rayno said, well, what I don't appreciate is the fact that since I have a simple question when the public asks, "Where did the tax dollars go," and I ask the question, and when Mr. Bungard steps up to the microphone and says if Mr. Rayno is going to be the one that stops this, we're going to delay the project by a month on Middleground Road, it's just not fair. We should have the opportunity to question and ask where each and every tax dollar goes so that we are fully accountable to the taxpayers of this County and that we don't have someone up —, stand up in the well and say, "Oh, well, if he stops it today, we might as well just delay the project for a whole month," and then have the Chairman putting pressure on me and saying, "It's all your fault that it's happened," when I've asked a simple question looking for accountability —. County Manager Abolt said, let me respond. First of all, I did not pick up on either Mr. Bungard's comment and he was not here at the time the question was asked, and then we get the body language that I saw from you. I think Mr. Bungard, which it's his responsibility of telling you if certain things are done in a high profile project like Middleground, if the money is not in the right place, that project is going to stop or slow down from the standpoint of accountability, and you've been very good about this. If the Board chooses to submit, as you've done, advance questions, you know we work our tail end off to get them. In fact, you have in your report —, in your docket right now about that thick [indicating] of work that Ms. Cramer has done from Tuesday until last night to get it. Had these questions been asked in advance, we would have done that. But please do not try to portray —, please do not try to portray staff's desire to inform you with somehow trying to also block access to your questions or information that might be needed by the public. We do not do that. It's our responsibility to be painfully clear on communicating with you. Commissioner Rayno said, a meeting full of financial facts and figures and line items that happen to deal with the quarterly report as well, which was another 400 and some odd pages, which I went through line by line, given to us on Tuesday night, I have a family, I have a job, I have other obligations besides sitting down for eight hours a day looking for these things. There's not enough lead time to do that —. County Manager Abolt said, sir —. Commissioner Rayno said, — and then to be chastised here in this chair for asking simple questions —. County Manager Abolt said, I don't know who chastised you. Commissioner Rayno said, — and then told, "If you don't make a decision today, well you're holding the project up." County Manager Abolt said, I disagree completely. First of all, this discussion was held in the pre-meeting. I have made a commitment to this Board, and Ms. Cramer knows it, we're giving you financial information currently. The report you just read from is an informational report. What is the other choice? Not to give it to you. That's wrong. All we're trying to do is communicate as quickly as we can. We're faced with —, I mean, with a book that is so big in part because, not only major reports, but it's been three weeks since your last meeting. What is our option? Not to tell you. That is not something —, we'll never do. Commissioner Rayno said, I asked you in January for the quarterly reports and you told them to hold off until February, which was well over four weeks ago. County Manager Abolt said, no sir, I did not.

Chairman Hair asked, Commissioner Rayno, are you through, sir? Commissioner Rayno said, I have an interoffice memo that says that and we had already agreed to have them in January. Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, I'm listening very carefully to what's being said, and on Middleground Road, and that happens to be my district, and I would be opposed to anything that's going to stop or slow down that project in any way, shape or form. So if there's some way to untable that particular item, I would like to do that. Chairman Hair said, I can recommend a way, Commissioner Gellatly. Since they were tabled altogether, we need to take a motion to untable to take all three off, approve 10 if the votes are there, and retable 8 [sic] and 9. That's the way to do it. Commissioner Gellatly said, I'd like to make a motion. Commissioner Odell said, I second it.

Chairman Hair said, all right, the motion is to it off the table first. All those —, and we have a second. All those in favor of taking it off the table, vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, now I'll entertain a motion to approve #10. Commissioner Gellatly said, I will make that motion. Chairman Hair asked, second? Commissioner Kicklighter said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, now if you want to retable 8 and 9 [sic], you can do that as well. Do you want to retable —. Commissioner Rayno said, I make a motion to retable 8 and 9 [sic]. Chairman Hair said, all right we have a motion to retable 8 and 9 [sic]. Second? Commissioner McMasters said, second. Chairman Hair said, all those in favor of retabling 8 and 9 [sic] vote yes, opposed vote. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you.

Commissioner Murray said, it goes from 7 to 9. Something's wrong. County Manager Abolt said, we made an error. We did modern math and went from 7 to 9. Chairman Hair said, well, just correct it. We understand. County Manager Abolt said, we understand what you —. Chairman Hair said, yeah, just make the amendment.

**ACTION OF THE BOARD:**

1. Commissioner Rayno moved to approve Facts and Findings #1 through #7. Commissioner Gellatly seconded the motion and it carried unanimously.
2. Commissioner Rivers moved to table Facts and Findings #9, #10 and #11. Commissioner Kicklighter seconded the motion. Chairman Hair and Commissioners Rayno, Rivers, Murray, Odell, Kicklighter and Thomas voted in favor of the motion. Commissioner McMasters voted in opposition. The motion to table carried by a vote of seven to one. [NOTE: Commissioner Gellatly was not present when this vote was taken.]
3. Commissioner Gellatly moved to untable and place before the Commissioners for consideration Facts and Findings #9, #10 and #11. Commissioner Odell seconded the motion and it carried unanimously.
4. Commissioner Gellatly moved to approve Facts and Findings #10. Commissioner Kicklighter seconded the motion and it carried unanimously.
5. Commissioner Rayno moved to table Facts and Findings #9 and #11. Commissioner McMasters seconded the motion and it carried unanimously.

**AGENDA ITEM: IX-1**  
**AGENDA DATE: February 13, 2004**

**DATE:** February 5, 2004  
**TO:** Board of Commissioners  
**THRU:** R.E. Abolt, County Manager  
**FROM:** Linda Cramer, Finance Director

**ISSUE:**

To present year end fund balance reconciliations based on Audit, Budget Amendment and Budget Adoptions for Encumbrances, Incomplete Projects/Equipment purchases and Fund Balance Reserves at year end 2003 for the General Fund M&O, Special Revenue Funds, and Capital Improvement funds.

**BACKGROUND:**

The FY2004 Chatham County budgets were adopted on August 8, 2003 prior to completion of the FY2003 Audit which provides information as to balances outstanding on 2003 contracts and purchase orders. The amendments are for General Fund M&O, Special Service District, Capital Improvement Program Fund, Emergency Telephone System Fund, Confiscated Special Revenue Fund, Land Disturbing Activities Ordinance Fund, Land Bank Authority Fund, One Percent Sales Tax Road Program Fund(1985-1993), One Percent Sales Tax Extension Fund(1993-1998), and Capital Improvement-Series 1999 DSA Revenue Bond Fund. All amendments as well as appropriations of reserved fund balances require Board approval.

**NOTE:**

Fund balance "Reserved for Encumbrances" is a reserve legally earmarked for a specific purpose. Encumbrances are commitments related to unperformed (executory) contracts for goods or services. These commitments may be in the form of a formal contractual agreement, a purchase order, or other commitment by the government for goods or services.

**FACTS AND FINDINGS:**

- (1) The Chatham County General Fund M&O budget amendment increases the budget by \$191,935 Fund Balance Reserve for year end encumbrances and \$461,994 for restricted fees. A list of year end carry overs and restricted fees totaling \$653,929 is attached to the resolution.
- (2) The Chatham County Special Service District Fund budget amendment increases the Special Service District budget by \$73,945 Fund Balance Reserve for year end encumbrances. An appropriation of \$172,650 for transfer to the Capital Improvement Fund (CIP) approved by the Board of Commissioners on June 27, 2003 had not been transferred as of June 30, 2003. The resolution includes an appropriation to reflect the actual transfer of the funds in FY2004.

- (3) The Chatham County Capital Improvement Fund budget amendment decreases the budget by \$86,770 for audited fund balance and \$48,730 for the FEMA Project Impact and increases revenues by \$172,650 for transfer from SSD as stated the resolution. The appropriations are adjusted for expenditures in accordance with the resolution.
- (4) The Chatham County Emergency Telephone System budget amendment increases the budget by \$969,306. The appropriations are increased to provide funds for purchase of equipment and services in accordance with Georgia State Law. The revenues are in the E-911 Fund and are restricted for specific purposes.
- (5) The Chatham County Confiscated Special Revenue Fund budget amendment decreases the budget by \$12,558 to a total of \$358,022 to be distributed \$3,402 Sheriff, \$202,288 Police, and \$152,332 CNT.
- (6) The Chatham County Land Disturbing Activities Ordinance Special Revenue Fund budget amendment increases the budget by \$ 292,400 audited fund balance. The appropriations are increased for expenditures in accordance with the resolution.
- (7) The Land Bank Authority Special Revenue Fund budget resolution establishes a budget of \$171,170. Revenues are generated by surplus property sales of \$40,000 and by an increase of \$131,170 in audited fund balance, with expenditures of an equal amount as stated in the resolution.
- (9) The Chatham County Sales Tax Road Program Fund (1985-1993) budget amendment decreases the budget by \$966,551. The latest revised budget detail is available in the Finance Department as stated in the resolution.
- (10) The Chatham County Sales Tax Extension Fund (1993-1998) budget amendment decreases the budget by \$ 941,181 in audited fund balance. The latest revised budget detail is available in the Finance Department as stated in the resolution.
- (11) The Chatham County Capital Improvement - Series 1999 DSA Revenue Bond Fund budget amendment decreases revenue by \$22,440 in audited fund balance. The latest revised budget detail is available in the Finance Department as stated in the resolution.

**FUNDING:**

Funds are available in Fund Balance Reserves and/or Undesignated Fund Balance for all funds.

**ALTERNATIVES:**

- (1) That the Board approve the following:

**GENERAL FUND M&O**

- (a) A budget amendment in the amount of \$653,929 Fund Balance Reserve for year end encumbrances and restricted fees.
- (b) Appropriations in accordance with the attached resolution.

**SPECIAL SERVICE DISTRICT FUND**

- (a) A budget amendment in the amount of \$246,595 Fund Balance Reserve for year end encumbrances and transfer to CIP.
- (b) Appropriations in accordance with the attached resolution.

**CAPITAL IMPROVEMENT PROGRAM FUND**

- (a) A budget amendment in the amount of \$172,650 transfer from SSD, \$86,770 decrease in audited fund balance, and a decrease of \$48,730 for the FEMA Project Impact.
- (b) Appropriations in accordance with the attached resolution.

**EMERGENCY TELEPHONE SYSTEM FUND**

A budget amendment in the amount of \$969,306 to be appropriated for E-911 expenditures consistent with state law.

**CONFISCATED SPECIAL REVENUE FUND**

A budget amendment to decrease the fund \$12,558 and account for funds available for Sheriff, CNT, and Police.

**LAND DISTURBING ACTIVITIES ORDINANCE SPECIAL REVENUE FUND**

A budget amendment in the amount of \$292,400 audited fund balance.

**LAND BANK AUTHORITY SPECIAL REVENUE FUND**

A budget amendment in the amount of \$40,000 in revenue and an increase of \$131,170 audited fund balance.

**ONE PERCENT LOCAL OPTION SALES TAX (1985-1993)**

A budget amendment decreasing the fund by \$966,551 in fund balance. The latest revised list of projects is available in the Finance Department as stated in the resolution.

**ONE PERCENT LOCAL OPTION SALES TAX EXTENSION (1993-1998)**

A budget amendment decreasing the fund by \$941,181 in audited fund balance. The latest revised budget detail is available in the Finance Department as stated in the resolution.

**CAPITAL IMPROVEMENT - SERIES 1999 DSA REVENUE BOND FUND**

A budget amendment decreasing the fund by \$22,440 in fund balance. The latest revised list of projects is available in the Finance Department as stated in the resolution.

- (2) Amend the transfers and budget amendments.

**POLICY ANALYSIS:**

The State Code grants the Board of Commissioners the authority to amend the budget as it deems necessary during the fiscal year.

**RECOMMENDATION:**

That the Board approve Alternative 1.

PREPARED BY: \_\_\_\_\_  
Read DeHaven

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- 2. REQUEST BOARD APPROVE THE FOLLOWING: A GENERAL FUND M&O CONTINGENCY TRANSFER OF \$14,630 FOR A TRANSFER OUT TO THE HOSPITAL AUTHORITY DEBT SERVICE FUND; AN AMENDMENT TO THE HOSPITAL AUTHORITY DEBT SERVICE FUND TO RECOGNIZE A TRANSFER IN FROM THE GENERAL FUND M&O OF \$14,630 AND TO DECREASE RENT REVENUE BY \$14,630; A GENERAL FUND M&O BUDGET AMENDMENT TO RECOGNIZE \$2,250 IN REVENUE FROM THE CIVILIAN FIREARMS' FAMILIARIZATION COURSE AND TO APPROPRIATE \$2,250 TO THE SHERIFF'S DEPARTMENT; AN AMENDMENT TO THE CAPITAL IMPROVEMENT PROGRAM FUND BUDGET TO TRANSFER \$70,000 FROM THE HEALTH DEPARTMENT PROJECT TO THE LAND BANK FUND; AN AMENDMENT TO THE LAND BANK FUND BUDGET TO RECOGNIZE A TRANSFER OF \$70,000 FROM THE CAPITAL IMPROVEMENT PROGRAM FUND; AND RECOGNIZE A TRANSFER OF \$217,130 FROM GENERAL FUND M&O FOR THE FIRE ALARM SYSTEM AT THE SHERIFF'S COMPLEX; AN AMENDMENT TO THE 2003-2008 SPLOST FUND TO APPROPRIATE AN ADDITIONAL \$15,700 TO THE RALPH MARK GILBERT CIVIL RIGHTS MUSEUM, \$325,000 FOR THE M/WBE CONTRACT, AND \$1,040,740 FOR FIVE POSITIONS; AN AMENDMENT TO THE SPECIAL SERVICE DISTRICT SPECIAL REVENUE FUND TO APPROPRIATE \$295,000 UNRESERVED FUND BALANCE FOR PURCHASE OF SOFTWARE; AN APPROPRIATION OF \$217,130 FROM GENERAL FUND M&O RESTRICTED CONTINGENCY TO BE TRANSFERRED TO THE CAPITAL

**IMPROVEMENT PROGRAM FUND BUDGET FOR THE FIRE ALARM SYSTEM AT THE SHERIFF'S COMPLEX; A TRANSFER OF \$13,047 WITHIN THE TAX COMMISSIONER BUDGET TO SALARIES AND BENEFITS TO FUND THREE POSITIONS; A TRANSFER OF \$100,000 IN THE POLICE DEPARTMENT BUDGET FROM SALARIES AND WAGES FOR UNIFORMS.**

Commissioner Rivers said, so moved. Commissioner Rayno said, Dr. Hair, I would like to make a —. Chairman Hair said, we have a motion. Do we have a second? Commissioner Odell said, second. Chairman Hair said, second, okay. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I would like to ask the consideration of my fellow Commissioners that we break this out a little bit just because there's —, the first half of it I'd be happy to approve, but it —, there's some discrepancies in the amount the Sheriff is asking for the alarm and smoke system. Chairman Hair said, well, we have a motion and a second. We could go ahead and take action on that motion and see if it passes or you could ask for an amendment to the motion, Commissioner Rayno, to the person who made the motion and seconded it. Commissioner Rayno said, another thing, there's a question about taking money from our restricted —, actually taking money from our contingency fund, something that I know that Mr. Rivers has been against in the past because there's no —. Commissioner Kicklighter asked can we break it down. Mr. Rivers —. Chairman Hair said, we can —, with the present motion we can either amend the motion or we can vote on the motion as it —, the current motion is to approve the entire thing. It would have to be amended.

Commissioner Odell said, well, we can have discussion and see what it is. Commissioner Murray said, we can just have discussion. Chairman Hair said, we can do that. Commissioner Odell said, I'd like to hear what —, go ahead, Jeff [Rayno].

Commissioner Rayno said, okay. If you don't mind. I'm happy with the full first part of it all the way up to the capital improvement. Commissioner Murray said, well, we can still ask questions on any of them. Chairman Hair said, certainly. Commissioner Murray said, so we might be able to resolve. Commissioner Rayno said, I think we could clear up everything today, I really do. Commissioner Murray said, well, just ask the questions on the ones you have questions on. Chairman Hair said, ask your questions, Mr. Rayno, and maybe you can get support. Commissioner Murray said, you can do it under the present motion. Chairman Hair said, maybe not.

Commissioner Rayno said, originally we got a memo from the Sheriff's Department saying that they needed \$117,000 for the fire alarm and smoke system and then in the staff report request we have \$217,130. That's a discrepancy of \$100,000 between the two. County Manager Abolt said, the issue is one purely of the math. You'll recall that when you adopted the final budget there was not enough to do all that was required in the Detention Center nor in Mosquito Control as it dealt with West Nile Virus and Triple-E. This is purely math. We divide it in half. So whatever —, once the bids come in, and you'll see there's further on in the Purchasing reporting there's hiring a designer or engineer, whatever to do this stuff, we obviously will adjust, but realizing there's not enough to go around in both areas, we're just saying for the ease of administering it, we're dividing it 50/50. That's all it is. Commissioner Rayno said, it doesn't say that though. It says \$217,000 for the fire alarm system. County Manager Abolt said, which is 50% of what you put in restricted contingency. That's all it is. Ms. Cramer said, we're just transferring it into CIP. County Manager Abolt said, you're not spending —, you're not spending the money now. We're just —, we're encumbering it at this time. Chairman Hair said, that's correct. County Manager Abolt said, if the bids come and it's less or whatever, you know, it's a priority project. That's all it is.

Commissioner Rayno said, I think also that we should table the \$325,000 for the M/WBE contract because we're going to be talking about value contracting in the next meeting and I think that the two things are integrally tied together and that to approve it today is kind of premature without a public understanding of what the reasoning was behind Mr. Odell's motion at the last meeting.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, first of all, on this one you're not essentially approving the contract, you're just shifting the money in. On Purchasing report, you're approving the contract. So, the money has to be there regardless, but your definitive act to confirm what you've done in the past, based on your question about the work with the contractor, is consummated on the Purchasing report, not on this document. Commissioner Rayno asked, would there be any objection from my fellow Commissioners that today in the lettered items where it asks for approval of this contract that we table it until the next meeting? Chairman Hair said, I don't think you could do that as part of this motion. You could make that motion at that time. If you want to make a motion to table at that time, you certainly can do that, but you don't tie this together.

Commissioner Rayno said, okay. Now the question of the five positions for the Tax Commissioners' office. County Manager Abolt said, no. Chairman Hair said, Mr. Powers is here. County Manager Abolt said, no, no, it's not five. Commissioner McMasters said, that's for SPLOST. Commissioner Rayno said, actually —, for SPLOST. Al Bungard wanted five positions for SPLOST. County Manager Abolt said, no, no sir. We've got five positions and you'll recall that —, well, from the staff report four are going to Engineering and one is the enforcement officer —, the proper term escapes me —, the compliance officer that will continue in the work of the W/MBE program for the life of SPLOST. The five personnel that —, excuse me, I'm doing it too —, the four personnel within the Engineering operation are a

continuation of what we've talked about for really more than a year, namely to look at SPLOST to expedite SPLOST realizing that by and large so much of what we have design engineers doing, they're overcome by it, they cannot get projects done, and we want to have the staff to expedite the projects and, where possible, to do some design on the smaller projects so we can get these projects complete. Commissioner Rayno asked, what is the point of hiring a consultant to take care of the contracts for M/WBE and have a separate person on top of that? County Manager Abolt said, the issue is very direct. It's one of putting your dollars where you want to and getting the most out of a consultant, but not relying upon what could be a very expensive long term commitment. Namely, the consultant creates the criteria and the legal justification, but the actual working with all future contractors, looking at time sheets month to month, making sure that we don't do as we've done in the past by once the project is complete say, "Oh, my goodness, they missed their requirement." We want to have a relatively modest paid individual that can be that compliance officer.

Commissioner Rayno said, the Tax Commissioner's budget, looking for these positions, are they going to be permanent positions that will be included in the next year's budget? Chairman Hair asked, Mr. Powers, could you come forward please and address Commissioner Rayno's questions? Tax Commissioner Danny Powers said, yes sir, they will be permanent positions.

Chairman Hair asked, any other questions? Commissioner McMasters said, yes. Commissioner Murray said, it's just transferring funds within your department. Tax Commissioner Powers said, these are transferring funds absolutely within my department that are there. The \$13,047 will get me from this point to the year end budget and on a continuing basis they will be funded within my existing budget again. So we're not asking for any add-ons to the budget even though we —, if you remember, we have taken about a half a million dollars —. Commissioner Odell said, you've cut —. Tax Commissioner Powers said, yeah. Have I cut? Yes. Commissioner Odell said, you've cut substantially. This is below what you were four years ago. Tax Commissioner Powers said, well below, and let me state another thing. These are revenue-producing jobs that these folks have to go out to collect these funds. You know, not every citizen in this community voluntarily —, when that bill comes in they don't voluntarily all just send it back in. We've got to get out and do some collections and we've got bad check issues from the tag operation and things of that nature, which it's incumbent upon me to make sure that these things are collected. That's —, I'm trying to keep my department to keep the money flowing so you can fund all these other items that you have.

Chairman Hair asked, Commissioner Rayno, do you have any other questions? Commissioner Rayno said, no, I just want to say that I have no problem with the Sheriff's request to repair the smoke alarm, I'm just so concerned about the discrepancy between the two numbers, that's all. Chairman Hair said, Ms. Heimes and then Commissioner McMasters. Thank you, Mr. Powers. Tax Commissioner Powers said, thank you.

Ms. Marianne Heimes said, my name is Marianne Heimes. I just have a question. I'm not in opposition of any of the things that you have here under SPLOST, but I think it perhaps needs to be explained to the public. When the public votes on something, they think they have —, they know what they've voted on and there are things that keep coming up, you know, where money is shifted here and there or amended or added. I think it's only fair to the taxpayers that when these things happen that an explanation is given as to how you are able to move the SPLOST money around. I put my name as supporting SPLOST and I don't want to change my mind.

Chairman Hair said, thank you, Ms. Heimes. Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, thank you, Dr. Hair. I want to go back to the origin of this motion and, if I understand this correctly, Item 2 in the Individual Action is really to just shift money over in accounts and the spending authorization comes later. Chairman Hair said, correct. County Manager Abolt said, that's correct, sir. Commissioner McMasters said, well, if —, why are we in such a rush to shift it over if in fact we have to shift it back based on our decisions that have yet to come? Why don't we do this in a more logical fashion and go ahead and approve the money that there is no dissension about? County Manager Abolt said, if I may. I don't exception with the use of the term logical, but it's our intent to make this logical. We're trying to put the money in the accounts so that it can be drawn down. When it comes to the restricted contingency account, it's just that, restricted. We have a crying need, a crying priority in both Mosquito Control and the Detention Center to do something. We're already now seven months into this fiscal year. We want to put the money out there so we can begin to come up with a response to the needs of both Dr. Lewandowski and the Sheriff, so we said take it out of restricted —, you're not —, you're not spending this money now. When the bids come back in, then we'll know for sure beyond any doubt whether it's the \$117,000, whether it's \$90,000, whatever, but you will only be spending what will appear on your Purchasing report at that time. All we're trying to do is expedite the purchasing action by not committing you to purchase, but putting the money where it should be before we —, if you look at the Purchasing work by and large, we want to be able to show the source of money before you buy it. Commissioner McMasters said, I understand the accounting, Russ [Abolt], but answer this question. Hypothetically, if there were five votes here to not fund some of these things, ultimately —, and I shared that with you —, would you still advocate going ahead and moving all the money over knowing that the numbers are going to change? County Manager Abolt said, well, if I understand your question correctly, you adopt a budget in July/August that has money in different accounts. We've not purchased any of that stuff. You purchase it through the next 12 months and then the budgets are adjusted. When Commissioner Rayno asked the question, well, why are there so much line item difference in this, this and this, it's a function of actually buying something. All we're trying to do is align the dollars in the appropriate accounts, not spending the dollars now but so then, let's say hypothetically, to use the example of the Sheriff and the design and the bidding out of this, you will come in and we will have —, we won't come in —, in a few weeks and we'll have so much for a fire alarm system. It's going to be hopefully a whole lot less than what we're putting in there right now. We adjust it. We realize in the same report, which is attached, that Sheriff

St. Lawrence has a list well beyond the \$117,000 as does Dr. Lewandowski from the standpoint of Mosquito Control. You're not, I think —, and this is not meant to be self-serving —, I think this is a very prudent move. The other option is wait until it's all over and yet you do not know the status of your current budget. This is good budgeting in my estimation that guarantees you every time you meet you amend the budget. The spending plan is just that, and it has to be modified. We are one of the few governments around, and I'm very proud of this, we're one of the few governments around we give you a current budget really every time you meet.

Commissioner Rayno said, I'm going to —. Chairman Hair said, Commissioner McMasters has the floor. Commissioner Rayno said, I was going to say, we can move forward. I'll do what Joe Murray Rivers and I'll just ask for reconsideration. We can break this up —. Chairman Hair said, Commissioner McMasters still has the floor. Commissioner Rayno said, — or we can stall it for two more weeks. Chairman Hair said, Commissioner Rayno, Commissioner McMasters still has the floor. Commissioner Rayno said, yes sir.

Commissioner McMasters said, Russ [Abolt], I appreciate that explanation, but I still am not convinced that moving the money, even though some of it may not be approved today, what is wrong with moving the money that we have no dissension over and then setting aside the issues, take them one by one and then funding them all doing —, all done today? County Manager Abolt said, it's —, sir, I'm not arguing that at all. I want this Board to always be current on your budget. Commissioner McMasters said, well, as to me it's just a procedural question. County Manager Abolt said, I don't care how y'all do it, so please —. Commissioner McMasters said, okay, well, I will conclude my remarks by suggesting that we deal with these things individually beyond the point that Commissioner Rayno has suggested, which is the —, up to the Mark Gilbert Civil Rights Museum allocation.

Chairman Hair said, I just find it interesting that this is the same process we've used the eight years I've been here and it's never come up except when you question an item within it, so I don't —, I think we need to be careful about changing the process because we don't like a particular item. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, if we fund a position through SPLOST, when the SPLOST expires, those positions expire? County Manager Abolt said, they go away or actually what happens, sir, is as we know, just like Commissioner Rayno's question about five minutes ago. We still have projects on-going and as long as the project needs to be done, the need to have staff there is there, so it's not going to actually end five years from today. It'll end when the project funding ends. Commissioner Kicklighter asked, okay, but when the funding ends —? County Manager Abolt said, when the funding ends, they go away. Chairman Hair said, okay, I call for the question.

Chairman Hair said, all right, we have a call for the question. All those in favor of the motion —, the motion is to approve —. Commissioner Odell said, I'm sorry. Commissioner Murray said, we had hands in the air and if you're going to have a call for the question, by Robert's Rules if hands are still in the air, you have to vote on the call for the question. I had a question —. County Attorney Hart said, you had already put him on the agenda to speak, so you ought to complete the —. Commissioner Odell said, I'll yield. I'll yield to Frank [Murray]. Chairman Hair said, yield to Frank [Murray] and then the question will be called. Commissioner Odell said, Frank [Murray], I didn't see your hand up.

Commissioner Murray said, I've just got a quick question. Russ [Abolt], it's about the Special Service District —. County Manager Abolt said, yes sir. Commissioner Murray said, — fund of \$295,000. Is that the one for the software for the Inspections or the Regulatory Services? County Manager Abolt said, yes sir, and what this is —. Commissioner Murray said, the only thing I'd like is just an explanation so we understand it. County Manager Abolt said, yes sir. I didn't realize until you gave me the heads-up that our choice of terms would be misleading. Those of you that have been on the Commission for a while understand how we deal with this separate fund that takes care of Building Safety and Regulatory Services, and they have had —, Mr. Anderson has managed a separate pot of money. What we're doing now is we're moving it in and Ms. Cramer, along with the County Attorney and others, have reviewed this and so we use the term unreserved fund balance. In the main, that money is coming from that —, I don't say pot of money —, but the amount of money that was managed under our Building Safety and Regulatory Services Department. Commissioner Murray asked, and that comes in off of fees? County Manager Abolt said, yes sir. Commissioner Murray said, and license fees. Okay. That answers my question.

Chairman Hair said, okay, we have a call for the question. All those in favor of the motion vote yes, opposed no. Commissioner McMasters asked, do you want to restate the motion? Chairman Hair said, the motion is to approve the item as it is. All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rayno, Rivers, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner McMasters voted in opposition. The motion carried by a vote of eight to one. Chairman Hair said, the motion passes.

Commissioner Rayno said, I'd like it entered in the minutes I'm asking for reconsideration. Chairman Hair said, okay, enter it in the minutes for Commissioner Rayno. It will be reconsidered at the next meeting.

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Commissioner Rivers said, Mr. Chairman, that means that that whole —. Commissioner Murray said, that's right. Chairman Hair said, that's correct. Everything is delayed until two weeks, but, you know, you can see the votes up there, it will just be passed in two weeks. Commissioner Rayno said, we could break it up and we could pass things today. Chairman Hair said, well, it's not going to make any difference, Commissioner Rayno, the votes are going to be there in two weeks from now to do it anyway. So, you know, you had more than six votes.

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Commissioner Rayno could I perfect my reconsideration so that I'm clear exactly what I want to reconsider. Chairman Hair said, well, you can only reconsider the motion. You can't reconsider part of the motion. You can reconsider the entire motion, but you can't reconsider just a line item in the motion. So the motion was to approve it all. You —, your reconsideration is for the entire motion. Commissioner Rayno said, it was explained to me by Mr. Rivers that I could possibly pull items out of it that I want to be reconsidered. Chairman Hair said, the motion was to approve the entire item. I'll defer to the Attorney, but the motion was to approve the entire item. I think —. Commissioner Rivers said, well, let me —. Tax Commissioner Powers said, please pull these individual things. If you're still concerning that item that —.

Chairman Hair asked, Mr. Hart, the motion was to approve the entire item and reconsideration is of that motion, is that correct? County Attorney Hart said, correct. Chairman Hair asked, so the reconsideration is for the entire motion? County Attorney Hart said, correct. Chairman Hair said, and not part of it. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Commissioner Rayno, I would request that you withdraw your reconsideration and the reason for that is these monies are not being spent right now. We will vote when those funds are spent and we'll have a second chance to go after that. If there's something on there that you question or have concerns about, we can do that when the item comes up to expend those funds.

Tax Commissioner Powers said, please if you would because I still have to advertise and that type of thing for these part-time and these two positions are part-time positions, and I really need to get moving on this stuff. We're just getting further behind the eight ball and two more weeks is only going to delay me two more weeks for advertising and that type of thing.

Chairman Hair said, even more reason to do that too would be the votes are going to be there two weeks from now to pass it anyway because it's beyond your five votes. So if there's no —, nothing other than just making a point —.

Commissioner Rayno said, in respect to your request and also for Frank's [Murray] leadership and my support for him as the future Chairman of this Board, I'll withdraw my reconsideration.

Chairman Hair said, all right, he has withdrawn his motion for reconsideration. Okay, so the motion stands. Okay, thank you.

#### **ACTION OF THE BOARD:**

1. Commissioner Rivers moved to approve the following: A General Fund M&O contingency transfer of \$14,630 for a transfer out to the Hospital Authority Debt Service Fund; an amendment to the Hospital Authority Debt Service Fund to recognize a transfer in from the General Fund M&O of \$14,630 and to decrease rent revenue by \$14,630; a General Fund M&O budget amendment to recognize \$2,250 in revenue from the civilian firearms' familiarization course and to appropriate \$2,250 to the Sheriff's Department; an amendment to the Capital Improvement Program fund budget to transfer \$70,000 from the Health Department project to the Land Bank fund; an amendment to the Land Bank Fund budget to recognize a transfer of \$70,000 from the Capital Improvement Program Fund; and recognize a transfer of \$217,130 from General Fund M&O for the fire alarm system at the Sheriff's Complex; an amendment to the 2003-2008 SPLOST fund to appropriate an additional \$15,700 to the Ralph Mark Gilbert Civil Rights Museum, \$325,000 for the M/WBE contract, and \$1,040,740 for five positions; an amendment to the Special Service District Special Revenue Fund to appropriate \$295,000 unreserved fund balance for purchase of software; an appropriation of \$217,130 from General Fund M&O Restricted Contingency to be transferred to the Capital Improvement Program fund budget for the fire alarm system at the Sheriff's Complex; a transfer of \$13,047 within the Tax Commissioner budget to salaries and benefits to fund three positions; a transfer of \$100,000 in the Police Department budget from salaries and wages for uniforms. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Rayno, Rivers, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner McMasters voted in opposition. The motion carried by a vote of eight to one.
2. Commissioner Rayno, having voted on the prevailing side of the foregoing motion, requested it be entered on the minutes for reconsideration at the next meeting.
3. Commissioner Rayno withdrew his request for motion for reconsideration.

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#### **3. FISCAL YEAR 2004 SECOND QUARTER REPORT DATED DECEMBER 31, 2003, REFLECTING THE FINANCIAL ACTIVITIES FOR VARIOUS COUNTY FUNDS.**

Chairman Hair said, we agreed in pre-meeting to table that item. I need a motion —.

[NOTE: At this point, Commissioner Rivers returned to discussion on Item IX-2 above.]

Chairman Hair said, I need a motion to table Item #3.

Commissioner Odell said, move to table. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

#### **ACTION OF THE BOARD:**

Commissioner Odell moved to table to the next meeting the Fiscal Year 2004 Second Quarter Report dated December 31, 2003, reflecting the financial activities for various county funds. Commissioner Thomas seconded the motion and it carried unanimously.

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#### **4. INFORMATION REPORT ON STATUS OF CONSTRUCTION OF PIPEMAKER'S CANAL PROJECT.**

County Manager Abolt said, we'll give you a summary version of this realizing that we have a challenge out there. The challenge is driven by Mother Nature and a decision that was made, which is most justified, that knowing what we knew about the time as to the status of the subsoils, we proceeded with construction. You can see in the photographs that were given to you and also we had the opportunity to go out with Commissioner Kicklighter, whose district this is, that as the timber was cleared, the soil and the subsoil was found to be very unstable and, again, photographically you'll see that after construction began and the trees were removed, the material started sloughing off and restricting in size of the channel. We realize now we have to go back in and spend dollars on stabilizing the banks of the channel and the bed of the channel. We're about dealing with the contractor on this. This will result in a change order. We feel that it's responsible and Mr. Bungard and other engineers have convinced me that the other option would have been to spend a heck of a lot more money and go out and try to do sub-borings into an area right now that I think you can see visually would be very difficult to access, and the question will be if you spend all that money and the soil was not instable —, unstable, why did you spend the money in the first place.

Chairman Hair asked, any question on the Pipemakers? Commissioner Kicklighter said, I just want to add one thing. Chairman Hair said, certainly. Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I would encourage everybody to look at the pictures and, you know, I went out there with them and it really is a mess, and it's something they couldn't anticipate and, you know, I appreciate past support and I'd appreciate any support coming up because it's something they couldn't anticipate, and they're moving forward to correct the problem. That's all I have.

Chairman Hair said, thank you. Commissioner Rayno said, point of order, Dr. Hair. Chairman Hair said, certainly.

[NOTE: At this point Commissioner Rayno began discussing his request for reconsideration of Item IX-2 above.]

#### **ACTION OF THE BOARD:**

Received as information.

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#### **X. ACTION CALENDAR**

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

Chairman Hair said, on the Action Calendar we have pulled —, Commissioner McMasters has pulled 13-C and 13-F and 13-H. That's the only items pulled. I'll entertain a motion to approve the balance of the Action Calendar. Commissioner Rivers said, so moved. Chairman Hair asked, second? Commissioner Murray said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

[NOTE: At this point, County Attorney Hart returned to discussion on Item IX-1 above.]

#### **ACTION OF THE BOARD:**

Commissioner Rivers moved that the Action Calendar be approved in its entirety with the exception of Items 8, 13-C, 13-F and 13-H. Commissioner Murray seconded the motion and it carried unanimously.

[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 PRE-MEETING AND REGULAR MEETING OF JANUARY 23, 2004, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve the minutes for the pre-meeting and regular meeting of January 23, 2004, as mailed. Commissioner Murray seconded the motion and it carried unanimously.

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**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JANUARY 15 THROUGH FEBRUARY 4, 2004.**

**ACTION OF THE BOARD:**

Commissioner Rivers moved that the Finance Director is authorized to pay claims for the period January 15, 2004, through February 4, 2004, in the amount of \$6,819,716. Commissioner Murray seconded the motion and it carried unanimously.

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**3. REQUEST BOARD APPROVE A DRAINAGE EASEMENT AGREEMENT BETWEEN SAVANNAH QUARTERS AND THE COUNTY IN ORDER TO PROVIDE ACCESS FOR THE PURPOSE OF MAINTAINING THE DRAINAGE OUTFALL FROM THE SOUTHBRIDGE SUBDIVISION INTO THE RASPBERRY CANAL.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve a drainage easement agreement between Savannah Quarters and the County in order to provide access for the purpose of maintaining the drainage outfall from the Southbridge Subdivision into the Raspberry Canal. Commissioner Murray seconded the motion and it carried unanimously.

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**4. REQUEST FROM HUSSEY GAY BELL AND DEYOUNG, ENGINEER FOR GREENWAY DEVELOPERS, INC., TO RECORD THE SUBDIVISION PLAT FOR COTTONVALE PLANTATION, PHASE 1, ACCEPT THE SUBDIVISION AGREEMENT AND FINANCIAL GUARANTEE AND CREATE A NEW STREETLIGHT ASSESSMENT DISTRICT.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve the request from Hussey, Gay, Bell and DeYoung, engineer for Greenway Developers, Inc., to record the subdivision plat for Cottonvale Plantation, Phase I, accept the subdivision agreement and financial guarantee and create a new Streetlight Assessment District. Commissioner Murray seconded the motion and it carried unanimously.

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**5. REQUEST BOARD APPROVAL FOR THE INSTALLATION OF A STREETLIGHT AT THE INTERSECTIONS OF CHEVIS ROAD AT BEAUFORT ROAD, AND US 80 AT KIM STREET (ACROSS FROM SEAGATE SUBDIVISION).  
[DISTRICTS 6 & 4.]**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve the request for installation of a streetlight at the intersections of Chevis Road at Beaufort Road and US80 at Kim Street (across from Seagate Subdivision). Commissioner Murray seconded the motion and it carried unanimously.

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- 6. REQUEST BOARD APPROVE A REQUEST FOR EARLY ACQUISITION FROM MR. AND MRS. SCOTT DICKINSON AT 9013 WHITFIELD AVENUE DUE TO THE WIDENING PROJECT.  
[DISTRICT 1.]**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve the request for early acquisition from Mr. and Mrs. Scott Dickinson at 9013 Whitfield Avenue due to the widening project. Commissioner Murray seconded the motion and it carried unanimously.

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- 7. REQUEST FROM ENGINEER FOR GENESIS DESIGNER HOMES, DEVELOPER, TO RECORD THE SUBDIVISION PLAT FOR STONEBRIDGE, PHASE 2, ACCEPT THE SUBDIVISION AGREEMENT AND FINANCIAL GUARANTEE AND RECOMBINE THIS PHASE INTO THE EXISTING STREETLIGHT ASSESSMENT DISTRICT.**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve the request from the engineer for Genesis Designer Homes, developer, to record the subdivision plat for Stonebridge, Phase 2, accept the subdivision agreement and financial guarantee and recombine this phase into the existing Streetlight Assessment District. Commissioner Murray seconded the motion and it carried unanimously.

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- 8. ~~REQUEST BOARD APPROVE CREDIT CARD USAGE FOR TRAVEL BY THE SHERIFF'S INMATE TRANSPORT UNIT.~~ This item will be brought back for action at your next meeting.**

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- 9. REQUEST FOR NEW SUNDAY SALES OF BEER POURING LICENSE FOR 2004. PETITIONER: RONALD EDWIN HALL, D/B/A RONZONI'S, LOCATED AT 7360 SKIDAWAY ROAD.  
[DISTRICT 3.]**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve the petition of Ronald Edwin Hall, d/b/a Ronzoni's, located at 7360 Skidaway Road, for a new Sunday sales of beer pouring license for 2004. Commissioner Murray seconded the motion and it carried unanimously.

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- 10. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER POURING LICENSE FOR 2004. PETITIONER: RUSSELL C. DAWES, JR., D/B/A SANTINO'S INC., LOCATED AT 5548 OGEECHEE ROAD.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve the petition of Russell C. Dawes, Jr., d/b/a Santino's, Inc., located at 5548 Ogeechee Road, for renewal of a Sunday sales of beer pouring license for 2004. Commissioner Murray seconded the motion and it carried unanimously.

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11. **REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2004.**
- A. **PETITIONER: MARIA ARRIETA, D/B/A CANCUN MEXICAN RESTAURANT II, LOCATED AT 216 JOHNNY MERCER BOULEVARD. [DISTRICT 4.]**
  - B. **PETITIONER: ALAN C. CALE, D/B/A HENDERSON GOLF CLUB, LOCATED AT 1 AL HENDERSON DRIVE. [DISTRICT 7.]**
  - C. **PETITIONER: MAGDA CASTELLANOS, D/B/A JALAPEÑOS MEXICAN RESTAURANT, LOCATED AT 7405 SKIDAWAY ROAD. [DISTRICT 1.]**
  - D. **PETITIONER: ROBERT DOSTOR MIMS, III, D/B/A STEAMERS RESTAURANT, LOCATED AT 1190 KING GEORGE BOULEVARD. [DISTRICT 6.]**
  - E. **PETITIONER: HUGH L. BARNES, D/B/A SNAPPER JACKS SEAFOOD RESTAURANT, LOCATED AT 104 BRYAN WOODS ROAD. [DISTRICT 4.]**
  - F. **PETITIONER: MARY ELIZABETH GARRETT, D/B/A THE SHELL HOUSE RESTAURANT, LOCATED AT 8 GATEWAY BOULEVARD, WEST. [DISTRICT 7.]**
  - G. **PETITIONER: MARK WILLIAM MILLNER, D/B/A RUBY TUESDAY RESTAURANT, LOCATED AT 590 AL HENDERSON BOULEVARD. [DISTRICT 4.]**
  - H. **PETITIONER: CHARLES R. JONES, D/B/A SILVER DOLLAR BAR & GRILL, LOCATED AT 2883 FORT ARGYLE ROAD. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve the requests for renewal of Sunday sales of beer, wine and liquor pouring license for 2004 by petitioners: (A) Maria Arrieta, d/b/a Cancun Mexican Restaurant II, located at 216 Johnny Mercer Boulevard [District 4]; (B) Alan C. Cale, d/b/a Henderson Golf Club, located at 1 Al Henderson Drive [District 7]; (C) Magda Castellanos, d/b/a Jalapeños Mexican Restaurant, located at 7405 Skidaway Road [District 1]; (D) Robert Dostor Mims, III, d/b/a Steamers Restaurant, located at 1190 King George Boulevard [District 6]; (E) Hugh L. Barnes, d/b/a Snapper Jacks Seafood Restaurant, located at 104 Bryan Woods Road [District 4]; (F) Mary Elizabeth Garrett, d/b/a The Shell House Restaurant, located at 8 Gateway Boulevard West [District 7]; (G) Mark William Millner, d/b/a Ruby Tuesday Restaurant, located at 590 Al Henderson Boulevard [District 4]; and (H) Charles R. Jones, d/b/a Silver Dollar Bar & Grill, located at 2883 Fort Argyle Road [District 7]. Commissioner Murray seconded the motion and it carried unanimously.

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12. **REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER AND WINE POURING FOR 2004.**
- A. **PETITIONER: HUGH L. BARNES, D/B/A BARNES RESTAURANT, LOCATED AT 4685 HIGHWAY 80 EAST. [DISTRICT 4.]**
  - B. **PETITIONER: THOMAS L. ODOM, JR., D/B/A COUNTRY SOCIAL CLUB OF SAVANNAH, LOCATED AT 5150 JASMINE AVENUE. [DISTRICT 3.]**
  - C. **PETITIONER: COBY GARRETT BROOKS, D/B/A HOOTERS OF SAVANNAH, INC., LOCATED AT 4 GATEWAY BOULEVARD. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve the requests for renewal of Sunday sales of beer and wine pouring for 2004 by petitioners: (A) Hugh L. Barnes, d/b/a Barnes Restaurant, located at 4685 Highway 80 East [District 4]; (B) Thomas L. Odom, Jr., d/b/a Country Social Club of Savannah, located at 5150 Jasmine Avenue [District 3]; and (C) Coby Garrett Brooks, d/b/a Hooters of Savannah, Inc., located at 4 Gateway Boulevard [District 7]. Commissioner Murray seconded the motion and it carried unanimously.

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13. **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. Software maintenance agreement	Assessor	ESRI, Inc. (sole source)	\$13,650	General Fund/M&O - Assessor
B. Contract for design and engineering services for the addition to the Ralph Mark Gilbert Civil Rights Museum	SPLOST	Goode Van Slyke Architecture/Hansen Architects	\$147,700	SPLOST (2003-2008) - Ralph Mark Gilbert Civil Rights Museum (pending Board approval of budget amendment in SPLOST 2003-2008)
C. Change Order No. 1 to the contract to construct Phase II - Trailhead buildings at Tom Triplett Park for additional work and a sixty day contract extension	SPLOST	Alpha Construction Company	\$43,623.35	•SPLOST (1998-2003) - Tom Triplett Park •SPLOST (2003-2008) - Tom Triplett Park
D. Declare as unserviceable surplus and sell at a public auction or dispose of as scrap computers and other electronic and office equipment	Purchasing and Contracting	N/A	N/A	Revenue Producing
E. Hardware maintenance contract on the E-911 Centralink radio equipment	Police	Motorola Corporation (sole source)	\$13,813.68	E-911 Funds
F. Annual contract with automatic renewal options for four (4) additional one year terms to provide Employee Assistance Program Services (EAP) for County employees and their dependent families	Human Resources and Services	Lifestyle Management Resources, Inc.	\$9.41 per employee - Annual cost \$15,056	General Fund/M&O - Human Resources and Services
G. Terminate contract for daily janitorial services at the ANG building and issue Change Order No. 1 to add this location to their scope of service	•Building Safety and Regulatory Services •Board of Equalization	•Terminate with: Basic's Cleaning Company •Change Order to: Quality Cleaning Services	\$12,180	•SSD - Building Safety and Regulatory Services (\$8,120) •General Fund/M&O - Board of Equalization (\$4,060)
H. Confirmation of a contract for the M/WBE consultant services	Human Resources and Services	Diversiplex, Inc.	\$325,000	SPLOST (2003-2008) - Pending Board approval of Budget Amendment
I. Confirmation of Causton Bluff Bridge repairs	Bridges	Alloy Industrial	Not to exceed \$13,200	General Fund/M&O - Bridges
J. Contract for the purchase and installation of Building Safety and Regulatory LDO software	•Building Safety and Regulatory Services •Engineering	NovalIS Technologies	\$295,000	SSD - Building Safety and Regulatory Services (pending Board approval of fund balance appropriation)
K. Professional services contract for the engineering and design of a new fire alarm system for the Sheriff's complex	Sheriff	RWP Engineering, Inc.	\$11,500	General Fund/M&O - Restricted Contingency
L. Change Order No. 1 to the contract for repairs to the Hunt Drive Bridge for additional work required	Bridges	E & D Coatings	\$31,442	CIP - Bridge Repair

**As to Items 13-A through 13-L, except Items 13-C, 13-F and 13-H:**

Commissioner Rivers moved to approve Items 13-A through 13-L, except Items 13-C, 13-F and 13-H. Commissioner Murray seconded the motion and it carried unanimously.

**As to Item 13-C:**

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, thank you, Dr. Hair. Who wants to speak to this? County Manager Abolt said, okay, if I may, and not trying to anticipate a question, but possibly in expectation of issues about the change order, you'll notice first of all in the funding for this, it's a blend of SPLOST '98-2003 and the current SPLOST. What occurred, there is a change order in part justified by having more money as a result of voter approval and wanting to expedite the project, so making the changes now is good business. There were some other refinements in the first SPLOST project that Mr. Drewry and others felt appropriate, but the —, essentially what we're doing here is a timing issue. We want this part open and additional phases as quickly as we can do it. Commissioner McMasters said, thank you. Here's my question. In Facts and Findings it says, "This change order takes in consideration future development at the park that was not part of the original design..." County Attorney Hart said, correct. Commissioner McMasters said, "and is necessary to proceed with the project." Can somebody define what future development is and why that future development is necessary? Mr. Robert Drewry said, yeah, I'd be glad to. One of the items that was under original contract was jack and boring underneath the road and parking lot for the water and sewer lines. Commissioner McMasters said, I'm sorry, what underneath? Mr. Drewry said, jack and boring, digging a hole underneath the pavement. Commissioner McMasters said, okay. Mr. Drewry said, and while they were out there we felt it would be best to go ahead and let them do the utility lines and the electrical, phone cables, whatever we would be able to set up for the next phases of that contract while they were doing the bore-pit holes and doing that kind of work. Commissioner McMasters said, well, Robert [Drewry], #2 says some of the changes —, and this was not the one you just referenced —, are electrical and phone cables for multi-use, boathouse, irrigation system, flood lights. My question is you're aware that this is the first change order on what started out as a \$187,590 award, and that this one change order effects a 19% increase in the scope of this work. Commissioner Kicklighter said, okay —. Chairman Hair said, he has the floor and then I'll get you, Commissioner Kicklighter. Commissioner McMasters said, okay. I just —, when we look at these —, this volume change order on various SPLOST projects and a \$50,000 original project becomes a million dollar project, I don't —, I just need an explanation why when we go out and we spend good time and good money to contemplate an improvement that's desperately needed and long overdue to this particular park, that we don't get it right or don't anticipate things like the additional 123 feet of handicap accessible walkway. Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, the issue here was to get the restrooms and those other facilities open quickly. Mr. Kicklighter —, a week would not go by and he'd be calling me wanting to know where we were on the facilities out at Triplett. We were challenged, plagued, whatever your choice of words, by Pooler gumbo, we had many difficulties in trying to build these facilities. It's been long-standing and it has become an issue, and that issue was something has to be done. So \$187,000 was the something that could be done given certain limitations realizing this is a very dynamic project.

Commissioner McMasters said, so the original contract really was —, did not envision all the things that needed to be done there. County Manager Abolt said, no, it didn't. No sir, it didn't because the issue is that we are very action oriented because this Board is very action oriented, and our issue on Triplett —, no, please. On Triplett Park there was almost an embarrassment because no progress was being made on the restrooms. An issue then became what can we do to get those restrooms under construction and, again, it was complicated by the subsoil referred to as Pooler gumbo. So to get something in place right away, we came to you and this Board approved this contract to do just what I described. That was just the first step to solving an immediate problem. Now all staff is doing is since that time we've had the second SPLOST, we hopefully very heads-up out there, we realize that the investment at Triplett is going to go on and so we're saying, "Let's use our heads and do the additional work now with minimal, little additional cost in anticipation of the next phase at Triplett." I submit it's very good business. Commissioner McMasters said, well, I just want to understand it, Russ [Abolt]. I'm not going to vote against this, but I want to understand it. So the \$187,000 original contract was from a prior SPLOST —. County Manager Abolt said, yes sir. Commissioner McMasters said, — that never got fulfilled. County Manager Abolt said, no sir. Commissioner McMasters asked, it's being fulfilled now, right? County Manager Abolt said, yeah. That's part of —. Commissioner McMasters asked, [inaudible] SPLOST? County Manager Abolt asked, sir? Commissioner McMasters said, the SPLOST money, the \$187,000 was which SPLOST? Three? County Manager Abolt said, it's what it says there in the —. Chairman Hair said, right here in front of you, '98-2003 and 2003-2008. County Manager Abolt said, yeah. Chairman Hair said, right here in the item. Commissioner McMasters said, okay, so the '98 to 2003 SPLOST, we're just now spending the money for Dean [Kicklighter]? County Manager Abolt said, no sir, no sir, we —. Commissioner McMasters said, the \$187,000 has already —? County Manager Abolt said, no sir.

Commissioner Kicklighter asked, John [McMasters], can I answer and clarify in some form? Commissioner McMasters said, sure. Commissioner Kicklighter said, once I got in here in 2001, thanks to all of y'all and the staff we made a huge effort to get in there and spend that money from then and for the restrooms then, but at the time we thought that septic tanks would be able to go in that area, but after we —, what the State required us to do because they were —, the staff utilized the State funds from the Savannah-Ogeechee Canal, the State made us do several archeological digs at first to make sure we wasn't going to dig up, you know, an artifact, so once we finally found the area where we could put the thing, and this took a lot of time, after that they said, "Okay, well, you've got to find some ground that —, a place for that —, to put the septic tanks in and, lo and behold, there wasn't a place in the entire park that was a reasonable place to put a restroom that the ground would hold a septic tank. So at that time staff got really creative, and thanks again to, you know, the Commission's support, we had to run —. County Manager Abolt said, force main. Commissioner Kicklighter said, — force mains, I mean a long ways away, and again with a combination of the SPLOST funds and the State funds there, I believe, but they've really been working hard. I would have never even put that in my campaign pledge to get a restroom out there had I known it was going to be that hard to put a restroom out there. I mean, it's unbelievable what they've done. I commend the staff here and I think the staff gave us a great explanation of the fact of the additional money here that they're putting in is simply looking ahead to the money that we have

already approved for the next phase so while they were boring under there, they're adding the additional utilities for the next phase that we approve with the boat houses and the lights and everything. So, you know, I commend the staff and I do appreciate your questioning because that's a pretty good advertisement for my district. They kind of know better now what's coming out there for them.

Commissioner McMasters said, well, I think you've waited —, you've waited long for this, Dean [Kicklighter], and I think —, I have every right to question a 19% single change order. Commissioner Kicklighter said, and I appreciate that and I think they gave a great explanation. Commissioner McMasters said, okay, and can —, Russ [Abolt], can you tell me, is this pretty much going to do it or is there additional change orders that you anticipate on this project? County Manager Abolt said, I defer to Mr. Drewry on that, I just don't know. Mr. Drewry said, as we see right now, we don't foresee any other change orders coming back to you, but that doesn't preclude an emergency on the side or something like that. Commissioner McMasters said, okay.

Chairman Hair said, I'll entertain a motion. Commissioner Murray said, so moved. Chairman Hair asked, second? Commissioner Kicklighter said, motion to approve. Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**As to Item 13-F:**

**Annual contract with automatic renewal options for four (4) additional one-year terms to provide Employee Assistance Program Services (EAP) for County employees and their dependent families; Human Resources and Services; Lifestyle Management Resources, Inc.; \$9.41 per employee - Annual cost \$15,056; General Fund/M&O - Human Resources and Services.**

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, thank you, Dr. Hair. Hello, Michael [Kaigler]. Mr. Michael Kaigler asked, sir? Commissioner McMasters asked, do we receive any health care reduction because we offer this valuable service to our employees? Mr. Kaigler said, no sir. Commissioner McMasters asked, we don't? Mr. Kaigler said, no. Commissioner McMasters said, okay. Is this sort of counseling to employees and their dependents not covered —, is any of it covered under our Blue Cross/Blue Shield policy? Mr. Kaigler said, no sir, not this particular counseling, but if they're admitted for certain mental or emotional diseases, then it's covered under the health plan. Commissioner McMasters asked, then it kicks in? Mr. Kaigler said, yes sir. Commissioner McMasters asked, at \$9.41 per person in the 1,600 employees over the past three years, or even the last year, can you give the Commission some idea how many employees or their family members take advantage of this great thing that we offer? Mr. Kaigler said, we've had about over the last two years —, in 2002 we had about 10.6% utilization. In 2003 we tracked 13.25% utilization. Just briefly just some numbers, in 2003 they had 211 new employees seen, 14 re-opened cases and had a total of 612 counseling sessions. I can provide that to you, if you want. Commissioner McMasters said, my question, do you know if from this provider, if you got those stats, would it have —, if we could buy it on a per service, per person basis as opposed to the aggregate \$9.41 per employee, would we still be able to provide this great service to our employees and perhaps not pay the rate we're paying? Mr. Kaigler said, I'm not sure we could —. Commissioner McMasters asked, is that available or not? Mr. Kaigler said, I'm not sure that's available like that. Most of the firms that we've seen that submitted a proposal, they want it on a per employee basis. We've got them sort of like on a retainer. If an employee calls, then they respond. We base it on 1,600 employees, but they have to guess what percentage of the work force will actually call.

County Manager Abolt said, if I may too, this is one of the innovations I remember when Chairman Hair first took office and he —, because of his private life and what he was aware of in the private sector, we were able to go out and bid this, and you'll see the price per employee remains the same. This, we feel, is a very effective way of dealing with the problems that we all face, the problems of just living. Chairman Hair said, it's a very low cost per year.

Commissioner McMasters said, yeah, I'm not questioning the validity or the significance of it. I'm really looking at the economy of it and whether or not there was a better way to approach the —, providing the service and evidently from your comments, it is not. Chairman Hair said, very, very low. I've never seen it that low actually. Commissioner McMasters said, okay. Well, that concludes my comments. Thank you.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Odell said, move for approval. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously.

[NOTE: At this point, Commissioner Murray requested that we return to the discussion on Item IX-1.]

**As to Item 13-H:**

**Confirmation of a contract for the M/WBE consultant services; Human Resources and Services; Diversiplex, Inc.; \$325,000; SPLOST (2003-2008) - Pending Board approval of budget amendment.**

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, thank you. H? Chairman Hair said, H. Commissioner McMasters said, H. Given the fact that this has created an awful lot of heartburn and, quite frankly, what I'm going to recommend is a tabling of this,

but I'm happy to provide an explanation. Commissioner Kicklighter said, second. Commissioner McMasters said, okay.

Chairman Hair said, we have a motion to table and a second and it's not debatable. All those in favor of the motion to table vote yes, opposed vote no. Commissioner Murray said, no more discussion. Commissioner Rayno, Commissioner McMasters and Commissioner Kicklighter voted in favor of the motion to table. Chairman Hair and Commissioners Rivers, Murray, Odell, Gellatly and Thomas voted in opposition. The motion to table failed by a vote of six to three. Chairman Hair said, the motion to table fails. Okay, so it's not tabled. Commissioner McMasters said, okay. Chairman Hair said, now we can have discussion. Are you through Commissioner McMasters? Commissioner McMasters said, I yield to Commissioner Murray. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, no, don't —. What I wanted to find out is —. Chairman Mahany said, no, actually Commissioner Odell is first. Commissioner Odell said, I'll yield to Murray and then —. Chairman Hair said, go ahead, Commissioner Murray. Commissioner Murray said, I just wanted to get more information on what we were doing, is this tied up in litigation? Is that going to affect what happens in the future, or should we —? Chairman Hair said, Mr. Parson is saying no. County Attorney Hart said, it's currently not tied up in any litigation. Commissioner Murray asked, well, what's all the stuff that we've got going to the Attorney General? Chairman Hair asked, Mr. Parson, could you —?

Commissioner Odell said, we don't have anything going to the Attorney General. The losing bidder has something going to the Attorney General. The law is adamantly against the losing bidder. It is a professional service. So we have nothing going. It's not in litigation and these people who call themselves *Savannah News Press*, fair and balance is not in their vocabulary.

Chairman Hair said, all right, we'll entertain a motion. Commissioner McMasters said, wait —. Chairman Hair said, we can discuss it. Commissioner Odell said, I have the floor. Chairman Hair said, that's right.

Commissioner Odell said, I'll make a motion to approve. I know you want to speak —. Commissioner Rivers said, I second it. Chairman Hair said, we have a motion and a second. Commissioner Odell said, I'm making it in light of your wanting to speak.

Chairman Hair recognized Commissioner McMasters.

Commissioner Odell asked, is there a second to the motion? Chairman Hair said, yes, Commissioner —, yes, we've got a second. Commissioner Odell said, okay. I'll call for the question. Oh, I'm sorry. I'm sorry, go ahead.

Chairman Hair recognized Commissioner McMasters. Commissioner Odell said, go ahead, John [McMasters]. But John [McMasters] talks on every question. I mean, can he let one go by?

Commissioner McMasters said, trust me, I do not speak on every subject that's —. Chairman Hair said, just most. Commissioner McMasters said, — provided to us. Okay, the point of this is —. Commissioner Odell said, I yield for the question only. Commissioner McMasters said, okay. I am terribly impressed with Diversiplex having met with them in a staff meeting and that does not, in and of itself, Harris [Odell], make me comfortable enough to move forward today, and I see no problem with going for two weeks to get some questions answered, one of which is the fact that the RFP, which staff —, I requested and staff gave me —, makes absolutely no mention whatsoever of best value contracting or an initiative of any sort, and Mr. James was nice enough to stipulate in our meeting that, in fact, his contract will include those functions for us. We have not seen the contract. I would like to be able to answer the charges made by the *Savannah Morning News* that this is an excessive contract by factually having some documentation that in fact best value contracting is a part and parcel of this what appears to be a higher award. Too and also, I am not certain that the losing bidder that has alleged collusion or patronage or whatever, was aware that there was a best value contracting dimension to it. I think it would be —, we'd be just opening ourselves up for extreme criticism and/or lawsuit by rushing this meeting into approving this. Waiting two weeks to let these things be answered, I think, is smart, it's provident and that's what I intend to do.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, John [McMasters], I respect your opinion and you and I, even when we go to lunch, we have spirited debates and I respect that, but I said earlier fair and balance reporting. *Savannah News Press* indicated that four years ago I received a donation from the father of one of the individuals and that that appears to be a factor. That is neither fair nor balanced. I believe at some point *Savannah News Press* is going to become accountable for the slanderous ways that they portray people, especially people of my divinity, but I understand that they understand nothing about diversity looking at their executive staff, and there is absolutely no diversity on their executive staff. None. None. So they don't have the high ground to talk about fair and balance because they have no concept of those terms. I realize that it's an election year, but if the people in my district elects to replace me because I will not tolerate *Savannah Morning News* assault upon me and particularly, but people who look like me in general. I don't accept that. What they've asked you to do and we've fallen prey to, they have said that when we buy a car from J. C. Lewis and we buy a Ford that J. C. Lewis should not get the bid because there's a Honda dealer out there who sells the car for \$3,000 less, this is similar to what we have now. What we have now is there's no one listed who's as qualified, qualified as the individuals who met with us. None of these bidders have anyone that qualified who's going to manage the project. There's no legal ground for them ever to win this lawsuit. I'm glad to know that they are of the

opinion that if they offer the lowest bid, that that is the lowest valuable bid. I would think that this City would have known we fell prey to that stupidity when we built the Trade Center and it cost us 20 more million dollars. Okay? Commissioner McMasters said, 50. Commissioner Odell said, 50 more million. And my point is your desire to delay it is that the union's concerns were not included in the bid. That's the foundation of your desire. The individual who will be managing the program here has said that that will be folded into this reduced bid. What I want the paper to note is that there were three bids, one in excess of \$500,000, one at \$325,000 and one at \$185,000. The one for \$185,000 did not anticipate, did not include a legal review of what we've done in the past. See, if you at the Savannah News Press had no diversity of your own, you'd be insensitive to our working toward having a program here, and that is a statement you can quote me on. And I know it's not you because you're not the one making the decisions.

Chairman Hair said, Commissioner Kicklighter and then Commissioner Rivers.

Commissioner Kicklighter said, I'll — wow. I want to throw this out, but that's a tough act to follow right there. I spoke with former Mayor Adams outside and he suggested a couple of things that he thought might be good for the area and could save a couple of hundred thousand dollars working with the study that Savannah did. But anyway, I think there's just enough questions out there and all and a good argument, I guess, on each end that I'd like to see us table this thing and discuss it for two weeks and then move on it, so I will move —, can I move again to table? Chairman Hair said, you can have a motion to table. Commissioner Thomas said, question before the table. Chairman Hair asked, have you got a motion to table? Do you want to make a motion? Commissioner Kicklighter said, yeah, I make a motion to table.

Chairman Hair said, all right, we have —, this is the second motion to table. Does that have a second? Commissioner Rayno said, second. Chairman Hair said, all those in favor of the motion to table vote yes, opposing the table vote no. Chairman Hair asked, has everybody voted? Commissioner Murray said, I have not. I'm going to vote to table, but I will vote at the next meeting to approve it. Commissioners Rayno, McMasters, Murray, Gellatly and Kicklighter voted in favor of the motion. Chairman Hair and Commissioners Rivers, Odell and Thomas voted in opposition. The motion to table carried by a vote of five to four.

**ACTION OF THE BOARD:**

1. Commissioner Rivers moved to approve Items 13-A through 13-L, except Items 13-C, 13-F and 13-H. Commissioner Murray seconded the motion and it carried unanimously.
2. Commissioner Murray moved to approve Item 13-C. Commissioner Thomas seconded the motion and it carried unanimously.
3. Commissioner Odell moved to approve Item 13-F. Commissioner Thomas seconded the motion and it carried unanimously.
4. Commissioner McMasters moved to table Item 13-H. Commissioner Kicklighter seconded the motion. Commissioners Rayno, McMasters and Kicklighter voted in favor of the motion. Chairman Hair and Commissioners Rivers, Murray, Odell, Gellatly and Thomas voted in opposition. The motion to table failed by a vote of six to three.
5. Commissioner Odell moved to approve Item 13-H. Commissioner Rivers seconded the motion.
6. Commissioner Kicklighter moved to table Item 13-H. Commissioner Rayno seconded the motion. Commissioners Rayno, McMasters, Murray, Gellatly and Kicklighter voted in favor of the motion. Chairman Hair and Commissioners Rivers, Odell and Thomas voted in opposition. The motion to table carried by a vote of five to four.

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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.

None.

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**XII. SECOND READINGS**

**1. AMENDMENT TO ARTICLE S. ENGINEERING FEES OF THE CHATHAM COUNTY REVENUE ORDINANCE.**

Chairman Hair said, I'll entertain a motion to approve. Commissioner McMasters said, so moved. Chairman Hair asked, second? Any discussion? I don't have a second. I need a second to that motion. Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner McMasters moved to approve the amendment to Chatham County Revenue Ordinance, Article S, Engineering Fees. Commissioner Odell seconded the motion and it carried unanimously.

STATE OF GEORGIA    )  
                                  )  
COUNTY OF CHATHAM )

**AMENDMENT TO  
CHATHAM COUNTY REVENUE ORDINANCE,  
ARTICLE S, ENGINEERING FEES**

To approve an amendment to Article S of the Chatham County Revenue Ordinance,  
Engineering Fees, by adding Section 3 to read as follows:

- Section 3. National Pollutant Discharge Elimination System (NPDES) Fees
  - a. For all land disturbing activities conducted under the NPDES construction storm water general permits: \$40 per disturbed acre calculated to the nearest tenth (1/10th) acre.
  - b. Activities exempt from the Chatham County Soil Erosion and Sediment Control Ordinance, as indicated in Section III of that ordinance, are exempt from the NPDES fee.

**APPROVED:** This 13<sup>th</sup> day of February, 2004.

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Dr. Billy B. Hair, Chairman  
Board of Commissioners of  
Chatham County, Georgia

ATTEST:

\_\_\_\_\_  
Sybil E. Tillman  
County Clerk

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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.

**AGENDA ITEM: XIII-2**  
**DATE: February 13, 2004**

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>
Yearly subscription to software maintenance on Smartfilter	ICS	True North Solutions, Inc.	\$8,550	General Fund/M&O - ICS
Two (2) year on-site maintenance agreement on five (5) servers	ICS	Dell Marketing (state contract)	\$5,620	General Fund/M&O - ICS
Five (5) workstations and task chairs	Assessor	Bidlo Associates	\$7,964	General Fund/M&O - Assessor
Yearly maintenance agreement on microfilm/microfiche equipment	Superior Court Clerk	Palmetto Microfilm Systems	\$6,015	General Fund/M&O - Superior Court Clerk
10,000 printed file folders	District Attorney	Bidlo Associates	\$3,611	General Fund/M&O - District Attorney
20 MS Windows upgrade to Windows XP	CNT	Software Spectrum	\$2,522	General Fund/M&O - CNT
Nine (9) tactical shotguns	Sheriff	Clyde Armory	\$3,231	General Fund/M&O - Sheriff
Repairs to inmate visitation phone system	Detention Center	Sound Powered (sole source)	\$5,430	General Fund/M&O - Detention Center
Complete installation of transfer pump including all labor and components and explosion proof installation in aviation side of chemical room	Mosquito Control	All Electric and Specialty	\$3,342	General Fund/M&O - Mosquito Control
John Deere multi-wheeled all terrain vehicle	Police	Hendrix Machinery	\$8,860	Multi-Grant Fund - Homeland Security
Removal and replacement of carpet at Henderson Golf Club clubhouse	Henderson Golf Club	Moore's Floor Covering	\$6,496.26	Land Bank Authority
Remove old blown ceiling and install new and paint for Gateway Health Center	Health Department	House Doctor	\$2,982	CIP - Health Department
Cisco Network infrastructure	CEMA	Logical Choice Technologies	\$6,293	General Fund/M&O - CEMA
Purchase and installation of two (2) projection systems for the Carnegie Branch Library	Live Oak Public Library	Stagefront Presentation Systems	\$8,100	CIP - Vehicle and Equipment Lease
Talmadge Canal right of way evaluation survey	Engineering	Kern-Coleman and Company	Not to exceed \$7,500	CIP - Drainage

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Eliminate standing water on right-of-way on Center Avenue and adjacent property owner	SPLOST	Sandhill ALS Construction (MBE)	\$3,450	SPLOST (1985-1993) - Ridgewood
Professional engineering services for the East Point Drive turn around	SPLOST	Kern-Coleman and Company	Not to exceed \$9,875	SPLOST (1985-1993) - Intersection Improvement
Asbestos testing on County owned properties	SPLOST	Southern Tri	\$2,742.95	SPLOST (1993-1998) - Whitfield Avenue Widening Project
Evaluation of drainage improvement recommendations for Little Hurst	SPLOST	Integrated Science and Engineering	Not to exceed \$9,300	SPLOST (1998-2003) - Little Hurst
Right-of-way plat revisions to accommodate City of Savannah Force main for the Wilmington Park Phase II	SPLOST	Thomas and Hutton Engineering	Not to exceed \$6,690	SPLOST (1998-2003) - Wilmington Park Phase II
Wetland mitigation credits	SPLOST	Pinesouth, Inc.	\$9,000	SPLOST (1998-2003) - Pipemaker's Canal
Professional architectural services for the Whitemarsh Island Police precinct	SPLOST	Kern-Coleman and Company	Not to exceed \$8,500	SPLOST (2003-2008) - Whitemarsh Island Police precinct
300 tons of limestone base for the Thomas Avenue landfill	Solid Waste	Martin Marietta Aggregates	\$3,450	Solid Waste Fund

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**EXECUTIVE SESSION**

Upon motion being made by Commissioner Rivers, seconded by Commissioner Kicklighter and unanimously approved, the Board recessed at 12:59 p.m., to go into Executive Session for the purpose of discussing litigation and land acquisition.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 1:13 p.m.

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**ITEMS FROM EXECUTIVE SESSION**

- REQUEST BOARD AUTHORIZE SETTLEMENT OF CHATHAM COUNTY, GEORGIA V. 0.156 ACRES OF LAND; JOHN L. WILDER, SR., GUARANTY BANK, SSB, DONALD J. ALLEN AND PATRICIA GADSEN, CIVIL ACTION NO. CV02-1325-MO (JON HART).**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to authorize settlement of *Chatham County, Georgia v. 0.156 Acres of Land; John L. Wilder, Sr., Guaranty Bank, SSB, Donald J. Allen and Patricia Gadsen*, Civil Action No. CV02-1325-MO, in the amount of \$65,000. Commissioner Rivers seconded the motion and it carried unanimously.

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

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to authorize the Chairman to execute an affidavit that the Executive Session was held in compliance with the Open Meetings Law. Commissioner McMasters seconded the motion and it carried unanimously.

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**APPOINTMENTS****1. CHATHAM COUNTY HOSPITAL AUTHORITY****ACTION OF THE BOARD:**

Commissioner Kicklighter moved to appoint Eugene B. McLaurin, M.D., to the Chatham County Hospital Authority to replace Dr. Lawrence Ruf, which term will expire October 24, 2008. Commissioner McMasters seconded the motion and it carried unanimously.

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**INDIGENT HEALTH CARE ISSUE AND MEETING WITH JUDGE Abbot**

Chairman Hair said, the County Attorney is going to brief us on the indigent health care issue and about the fact that we're going to meet —, the Vice Chairman, the Chairman Pro Tem and myself are going to meet with Judge Abbot —, and the County Manager —, and going to meet at her request, and the County Attorney wants to brief us about that.

County Attorney Hart said, the latest update on the Legislative session, as you know, we've got a bill floating around that got passed the last time that basically wants us to be the public defender's office and if you opt out of it, you lose any State funding. Initially we were told that there were going to be some big major changes to it. There isn't going to be any major changes to it. They're going to pass it. The new thing that they've come along with is they want it funded to the tune of \$35,000,000. The proposed way they're going to fund it is they're going to take the fees and fines or whatever of municipalities and some of our State Court charges away from us to fund their half and then we'll pick up the other half ourselves out of our money. So the bottom line is that's still going to be a big political issue up there and the municipalities rely on the Recorders Courts are not. I don't know what the washout is going to be on that, but from your standpoint the part that's very important to understand is that this thing's probably going to pass with no changes and July 1 we're going to have to have a chief defender in the County, salary, January 1 of 2005, you're going to have to have an up and running public defender's office, and the only way that we don't have to do that is —. Chairman Hair said, is to opt out. County Attorney Hart said, — is to exercise our opt-out provision. They still have the right under that legislation not to let us opt out. Commissioner McMasters asked, how do they make that decision? If we opt out, how will they decide? County Attorney Hart said, they just decide it.

Chairman Hair said, I think we could exert enough political influence though, I think that would be suicide I don't think we could handle that. County Manager Abolt said, there's concern, and this is talking with Spencer Lawton, it isn't just a matter of opting out, but there's concern that they will prepare such criteria that to opt out you will never meet the criteria. County Manager Abolt said, yeah, it's just another governmental bureaucracy. Chairman Hair said, there's no question, if you look at this, that the judges believe that we should keep the system we've got, and there's no question that it's going to be much, much cheaper to do it. And so the purpose of the Judge asking us to meet with her next week is to —, they're going to recommend that we opt out. She's asking —, as a courtesy to her, we're going to meet with her next Wednesday. Commissioner Rayno asked, Juvenile Court? Chairman Hair said, Judge Abbot. County Attorney Hart said, Superior Court. Chairman Hair said, we're going to meet with her. County Attorney Hart said, what I've asked her to do is to get with the other judges and try to figure out what they think the public defender's office would look like if we did one so that we've got a base line on which to calculate what we think it will cost us. Then we've got something to compare it against with what we've been doing. Chairman Hair said, and basically what will happen after the meeting next week, we know pretty much what they're going to say. They're going to recommend to the County and we'll bring that back to this body, the four of us —, we're going to ask Commissioner Odell to go with us —, but the four of us will come back and say, you know, the Judge has recommended that we keep the same system and then we take an official vote to do that.

Commissioner Rayno asked, is the public defender's office sending the information down about stats or anything? County Attorney Hart said, well, what they did was they decided it's a great idea that they only had 150 cases apiece, which just means we're going to have more public defenders than we've got DA's now.

Chairman Hair said, you talk about a can of worms, if we went to that system and then all of a sudden the State says, "Well, last year we gave you \$2,000,000, this year we're going to give you \$200,000," and then guess where that's going dump the rest of the money back on the local taxpayer.

Commissioner Murray said, we discussed this somewhat with our delegation. Chairman Hair said, yeah, we have. Commissioner Murray said, they led us to believe that we could opt out of it and they —, I don't know who's pushing

this thing. Do you? County Attorney Hart said, the head of the Supreme Court —, Chief Justice of the Supreme Court us pushing it and a guy named Mixon up there, who's a big time lobbyist, a public defender's group —. Commissioner Murray said, [inaudible] X-amount of the State funding, but that's all we'll [inaudible]. County Manager Abolt said, the only thing that I think will delay anything is the State funding issue. If you think about, what they're really doing is they're taking our money for their half and then they're going to make us pay for our half.

Chairman Hair said, we just wanted to make sure that y'all are aware that Judge Abbot had asked for a meeting.

Commissioner Rayno asked, is it true there's no standard definition of a case load around the State and it varies from municipality to municipality. County Attorney Hart said, they've got these criteria that they define it as and they've got Class I Misdemeanors, Class II Misdemeanors, Class I Felonies and Class II Felonies. The problem you've got is all they have to do is change one reg and, you know —. Commissioner McMasters said, you staff up to it or —. County Attorney Hart said, I just think it's an awkward way of doing business.

Chairman Hair said, we just wanted to make y'all aware that we were meeting with judges. We'll come back and, like I said, we know pretty much what she's going to say, she's going to recommend that we opt out and we'll bring that. Dr. Thomas, Frank [Murray] and myself will go over there and meet with the Judge in her office and the County Attorney is going with us. Commissioner Thomas said, okay, good.

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**ADJOURNMENT**

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 1:20 p.m.

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APPROVED: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004

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

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SYBIL E. TILLMAN, COUNTY CLERK