

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, MARCH 12, 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 8:06 a.m., Friday, March 12, 2004.

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**II. INVOCATION**

Commissioner Jeff Rayno 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  
John J. McMasters, District Three  
Harris Odell, Jr., District Five  
David M. Gellatly, District Six  
B. Dean Kicklighter, District Seven

ABSENT: Joe Murray Rivers, District Two

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

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**V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

**1. PROCLAMATION FOR ST. PATRICK’S DAY PARADE GRAND MARSHAL.**

Chairman Hair said, one of the great honors this Commission has every year is for us to welcome and issue a proclamation for the Grand Marshal of the St. Patrick’s Day Parade, and we have the folks with us today. I’m going to ask if they’ll join me down front for our proclamation.

Chairman Hair read the following proclamation into the record:

**WHEREAS**, one of the highest honors to be bestowed upon an Irish Catholic in Chatham County is to be elected Grand Marshal of the St. Patrick’s Day Parade; today we salute with great pride the 2004 Grand Marshal, Rev. Joseph F. Ware; and

**WHEREAS**, Rev. Ware, a native Savannahian, grew up marching in the parade first as part of an “unofficial” group of neighborhood youngsters who tagged along with the procession, then as a student at the old Sacred Heart School and later as a cadet at Benedictine Military School; and

**WHEREAS**, he attended seminary in Baltimore and after four decades as a priest, he retired to his beloved Savannah; and

**WHEREAS**, Rev. Ware is the third clergyman chosen as grand marshal and in 1973, served as the first parade chaplain, a tradition that has continued ever since.

**NOW, THEREFORE, I**, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim, Friday, March 12, 2004 as:

**GRAND MARSHAL REV. JOSEPH A. WARE DAY**

in Chatham County and salute him for having this prestigious title bestowed upon him and feel assured that Irish eyes will be smiling as he leads the 180<sup>th</sup> St. Patrick’s Day Parade.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 12<sup>th</sup> day of March 2004.

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

**ATTEST:**

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

Mr. Vincent Powers said, thank you, Chairman Hair. Thank you very much, Commissioners. Thank you for having us come before you today. Evidently Father Ware got confused about the time change of the meeting. My name is Vincent Powers. I’m the General Chairman of the St. Patrick’s Day Parade, and on behalf of Father Ware and the St. Patrick’s Day Parade Committee we thank you very much for this proclamation and thank you very much for your time. We appreciate it.

Chairman Hair said, thank you, Mr. Powers.

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**CHATHAM AREA TRANSIT AUTHORITY**

The Board recessed as the County Commission at 8:10 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 8:50 a.m.

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**ORDER OF BUSINESS**

Chairman Hair said, before we get into the agenda items, I want to state for the record and also for the general public to know that we have adjusted our schedule today out of respect for Ms. Gwen Goodman, who’s funeral will be at eleven o’clock today, and Dr. Thomas and I discussed this in great detail. We polled the Commission and it was the consensus of the Commission that we change our schedule. So I want to let everybody know why we’re adjusting our schedule. It’s just for today only, and we want to make sure everybody gets a chance to be heard and we’ll recognize everybody, but we are asking you to try to be as brief as possible so that we can try to get out of here at 10:30 a.m., so we can attend the funeral. We just ask your respects for that.

Chairman Hair recognized County Attorney Hart.

County Attorney Hart said, Mr. Chairman, it’s up —, it’s y’all’s pleasure, but there is an exception for some of the information that may be received today that can be done in Executive Session, but that’s up to y’all. Chairman Hair said, our —. County Attorney Hart said, insofar as the Judges’ information pertaining to security matters. There is an exception now in the Open Meetings. That’s up to y’all.

Chairman Hair said, all right. I'm going to go ahead and do the proclamations first and then we'll proceed and then we'll do the —, when we get to that, we will do that item first for the Judges when we get to the regular agenda. We are going to do the proclamations first.

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## **V. PROCLAMATIONS AND SPECIAL PRESENTATIONS (Continued)**

### **2. PROCLAMATION TO DECLARE MARCH AS AMERICAN RED CROSS MONTH IN CHATHAM COUNTY.**

Chairman Hair read the following proclamation into the record:

**WHEREAS**, as one of the nation's oldest, most recognized humanitarian organizations, the American Red Cross is woven tightly into the fabric of Chatham County, providing compassionate care when disasters and other crises threaten to overwhelm and destroy families; and

**WHEREAS**, the American Red Cross was founded in 1881 by a visionary woman named Clara Barton and chartered by Congress in 1905 to act in times of need. Each year the Savannah Chapter responds to more than 240 disasters in our community alone; and

**WHEREAS**, as our military men and women join the effort to fight terrorism a world away, Red Cross workers are working around the clock to fulfill a historical role, keeping service members and their families in touch and offering other small comforts to ease the strain of being far from home; and

**WHEREAS**, residents of Chatham County get information they need to maintain safe and healthy lives through Red Cross courses in lifesaving skills, first aid, CPR, water safety and much more and benefit from other Red Cross programs that provide lifeguard training, water safety, HIV/AIDS Education and babysitting training.

**NOW, THEREFORE**, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim the month of March 2004 as:

#### **AMERICAN RED CROSS MONTH**

in Chatham County and extend our appreciation to the approximately 873 volunteers dedicated to relieving suffering and saving lives.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 12<sup>th</sup> day of March 2004.

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

**ATTEST:**

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

Mr. David Mason said, thank you, Commissioners. Like you heard, the Red Cross in Savannah has been here for 87 years, and our volunteers even as we speak are out at Hunter meeting planes that are coming in with troops and planes deploying with troops. Our disaster action teams are on call 24 hours a day and even responded two nights ago to the fire off Skidaway Road, and of course last year we gave out 14,000 certificates in CPR and first aid. So when help can't —, when there's a need for help, Red Cross has always been there and, God willing, we'll be there for another 87 more years. Thank you very much for this proclamation and I do have pins for everybody, Red Cross Chapter pins. Chairman Hair said, if you'll give them to the Clerk, she'll make sure —, just hand them to her. Mr. Mason said, thank y'all very much.

Chairman Hair said, thank you very much. I saw —, when I was in Vietnam, I saw first hand the real role the American Red Cross plays. We think about it playing a domestic role, but it also plays a tremendous role overseas, and I saw the wonderful work they did in Vietnam and I saw it many, many —, almost every day and it's a wonderful organization.

Mr. Mason said, thank you very much.

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**3. PROCLAMATION TO RECOGNIZE MARCH AS "NATIONAL PURCHASING MONTH" - AND THE BRIDGETTE KING, CPPB, PRESIDENT, AND MARGARET DISHER, CPPB, VICE PRESIDENT OF THE COASTAL GEORGIA CHAPTER OF THE NIGP WILL ACCEPT.**

Chairman Hair read the following proclamation into the record:

**WHEREAS**, the purchasing, contracts and materials management profession play a significant role in the efficiency and effectiveness of both government and business; and

**WHEREAS**, public purchasing and materials management professionals, through their combined purchasing power, account for 23% of the United States Gross National Product or \$1.4 trillion in goods and services every year and so have a significant influence upon economic conditions throughout the world; and

**WHEREAS**, in addition to the purchase of goods and services, the purchasing, contracts and materials management profession engages in or has direct responsibility for functions such as executing, implementing, and administering contracts; developing forecasts and procurement strategies; supervising and/or monitoring the flow and storage of materials; and developing working relationships with suppliers as well as other departments within the organization; and

**WHEREAS**, the Chatham County Purchasing Division has contributed significantly to meeting the needs of the County, by providing professional, reliable and economical services while working together in trust and with open, honest communication to provide efficient and effective customer service procuring goods and services at the best value for the taxpayers; and

**WHEREAS**, the National Institute of Governmental Purchasing and its Coastal Georgia Chapter, Savannah and other purchasing associations in the United States and around the world are holding activities and special events to promote the awareness of the general public on the vital role of purchasing within business, industry, and government.

**NOW, THEREFORE**, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim the month of March 2004 as:

**PURCHASING MONTH**

in Chatham County and encourage your participation in the many activities and events being held.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 12<sup>th</sup> day of March 2004.

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Dr. Billy B. Hair, Chairman  
Chatham County Commission

**ATTEST:**

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

Mr. Bridgette King said, thank you. Chairman Hair said, thank you very much. Would you like to make any comments? Ms. King said, good morning. On behalf of the Coastal Georgia Chapter of the National Institute of Governmental Purchasing, I, Bridgette King, serving as President of the Coastal Georgia Chapter, would just like to express our sincere thanks for this prestigious document of observance of March as Purchasing Month, and as a professional procurement organization we will continue to assure that all taxpayers of Chatham County continue to receive the best benefit for your tax dollars. Thank you.

Chairman Hair said, thank you, Ms. King. We appreciate the work y'all do.

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## **EXECUTIVE SESSION**

Chairman Hair said, as previously agreed to, we will entertain a motion to go into Executive Session to discuss Item No. 7, Juvenile Court needs and short term fix. County Manager Abolt said, Mr. Chairman, if you'd like to, you have other items you might want to discuss briefly. May I suggest you go into Executive Session for the purpose of litigation and discussion of items already approved by the County Attorney. Chairman Hair said, yeah, we want to do all the items while we're in Executive Session. Does anybody object to that? Chairman Hair said, all right, I need a motion.

Upon motion being made by Commissioner Rayno, seconded by Commissioner Thomas and unanimously approved, the Board recessed at 8:58 a.m., to go into Executive Session for the purpose of discussing litigation, land acquisition, and personnel.

Chairman Hair said, we'll ask the judges if they will join us in Executive Session please.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 9:28 a.m.

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## **VI. CHAIRMAN'S ITEMS**

### **1. THE CREATIVE COAST.**

Chairman Hair said, I put this on in good faith and I do not believe that good faith was kept. I met with Mr. Miller, and remember we had this discussion last time about this item, and I agreed and my compromise position today was going to be that we would fund \$40,000 to get it to July 1<sup>st</sup> and July 1<sup>st</sup>, if they did not have support from the School Board and the Chamber, that we would not fund it next year. Mr. Miller called me yesterday late and informed me that that was not the deal anymore, that he had cut a separate deal and that he'd gone to SEDA and gotten the \$40,000 to June 30<sup>th</sup> and now today he's asking us to approve \$127,500 in a budget that we haven't even had any budget hearings on and we haven't —, don't even know what the millage rate and digest is going to be, and I think it would be totally inappropriate for us to approve something in next year's budget. I think this item should be taken up in our normal budget deliberations and it should either stand or fall on its own, but I would hope that we would not take any action today that would obligate funds prior to budget hearing and prior to our normal budget process. So without an exception, I would take that off the agenda. Okay?

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

Chairman Hair removed this item from the agenda.

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## **VII. COMMISSIONERS' ITEMS**

### **1. UPDATE ON PROJECT ACCESS AND PROPOSAL TO CREATE HEALTHCARE SAFETY NET PLANNING BODY - SEE ATTACHED STAFF REPORT (COMMISSIONER MURRAY).**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes. Y'all have the staff report. Back in our meeting on December 5<sup>th</sup>, we approved to invite NACo representatives and The Access Project members in to have meeting with all the providers of the indigent health care. That meeting took place this year, the first meeting did, and that on January 27<sup>th</sup>. We had another meeting that I was not able to attend on March 3<sup>rd</sup>. Basically, the bottom line is they would like us to agree to this new group to start and work. There would be no expense —, or no additional expenses from the County and if in fact it does have a sunset clause in it and if in fact it is not doing the things that we think it will do, then it would be dissolved. Otherwise, there's a possibility down the road that there might be some funding for personnel. It would be between \$50,000 and \$60,000, but again we are not obligated to any funding at this point, and that's not part of the request. The request is for these groups to go ahead and meet. There's a list of the groups that have agreed to be a part of this in the back of that staff report. So I would move that we approve the organization of this for —. What? County Manager Abolt said, alternate one, sir. Commissioner Murray said, alternate one, okay. Chairman Hair asked, does the motion have a second? Commissioner Rayno asked, can I have a second with his agreement of a friendly amendment that there be some non-voting ex officio officers added to that particular planning board. Commissioner

Murray said, well, that can be and as part of this they can certainly make that part of it. Chairman Hair asked, and you accept that as a part of the motion? Commissioner Murray said, sure.

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

**ACTION OF THE BOARD:**

Commissioner Murray moved that the Board approve the Healthcare Safety Net Planning Body (HSNPB) concept and authorize the Chairman to send a letter of approval to NACo. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.] Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**ORDER OF BUSINESS**

Commissioner Rayno asked, Mr. Hair, may I amend the agenda concerning an item that's happening in the Legislature right now where they're trying to move 17-year-olds into the Juvenile Court? Chairman Hair said, yes sir. I think it would be very appropriate to do that, sir.

Commissioner Rayno said, I make a motion that we amend the agenda to include that. Chairman Hair asked, second? Commissioner Murray said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**RESOLUTION IN OPPOSITION TO H.B. 1418**

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, it's been brought to my attention that within the State Legislature they're trying to pass a law which would move 17-year-olds I guess from the general jail population into the Juvenile Court system and, in doing so, that particular demographics is extremely high. If they were to move those 17-year-olds into the Juvenile Court system or even to even incarcerate them within the juvenile jail, the effect on the Chatham County's budget would be astronomical, and I would request my fellow Commissioners to —, what was the name of the particular bill, do you happen to know? County Attorney Hart said, 1418. Chairman Hair said, pass a resolution. Commissioner Rayno said, I'd like to pass a resolution by this Commission that we oppose any action —. Commissioner Murray said, second. Commissioner Rayno said, — of House Bill 1418 and we would ask them to reconsider. Chairman Hair said, second. All those in favor of the motion vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.] Chairman Hair said, thank you, Commissioner Rayno.

**ACTION OF THE BOARD:**

Commissioner Rayno moved that the Board adopt a resolution expressing the Commission's opposition to H.B.1418, which proposes that 17-year-olds be moved into the Juvenile Court system and asking the State Legislature to reconsider the proposed legislation and oppose the same. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

***RESOLUTION***

**WHEREAS**, on March 12, 2004, the Chatham County Board of Commissioners discussed House Bill 1418;

**WHEREAS**, House Bill 1418 is proposed to change the jurisdiction of the juvenile court to include certain children under 18 years of age; to change definitions; to provide for jurisdiction as a court of inquiry regarding certain persons over 18 years of age; to conform provisions in such chapter to the change in jurisdiction; to provide for notification of the juvenile court if a person who appears to be under the age of 18 is confined in a jail for adults and transfer of such person; to provide for commitment of children 13 to 18 years of age to the custody of the Department of Corrections; to provide for an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes; and,

**WHEREAS**, the Chatham County Board of Commissioners voted unanimously in opposition to House Bill 1418.

**NOW, THEREFORE, BE IT RESOLVED, BY THE CHATHAM COUNTY BOARD OF COMMISSIONERS, IN REGULAR SESSION, THAT:**

1. The Chatham County Board of Commissioners is opposed to House Bill 1418 because the cost to Chatham County to house the additional detainees in the Savannah Regional Youth Detention Center will be unduly burdensome.
2. The Chatham County Board of Commissioners is opposed to House Bill 1418 in that it will result in an avalanche of cases being transferred to the Juvenile Court of Chatham County without providing for additional resources or judges and would constitute an unfunded mandate.
3. The Chairman of the Chatham County Board of Commissioners is authorized and directed to notify the State Legislature of such opposition and to request that the State Legislature reconsider the proposed legislation of House Bill 1418.

**ADOPTED AND APPROVED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

**CHATHAM COUNTY, GEORGIA**

By: \_\_\_\_\_  
Dr. Billy B. Hair, Chairman  
Chatham County Commission

Attest: \_\_\_\_\_  
Sybil Tillman, Clerk  
Chatham County Commission

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**VII. COMMISSIONERS' ITEMS (Continued)**

**2. BRIDGE ON OSTEEN ROAD (COMMISSIONER KICKLIGHTER).**

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. Out of a spirit of cooperation I would ask this body to pledge \$40,000 to repair the bridge on Osteen Road. It's in the part that's currently in the unincorporated areas of Chatham County. There is a question of whether or not half of it's in the jurisdiction of Bloomingdale and half's in the unincorporated area of Chatham County. I would like to ask a legal question first. Could this money come out of SPLOST from the bridge repairs because we set aside a lot on that? County Manager Abolt said, SPLOST money cannot be used for repairs. What —, as you may all know, after your last meeting on this general subject, I've asked the County Attorney and other staff to prepare an intergovernmental agreement so that there is a clear understanding with the City of Bloomingdale as to what the total obligations are. In one case, you'll remember, we had bridge where they had to prove the ownership —. Commissioner Kicklighter said, right. County Manager Abolt said, — the other had to do with this. My recommendation would be you wrap it all up. So if that is your wish, that you not take definitive action today until you have the intergovernmental agreement in front of you and you know it's put to bed. Commissioner Kicklighter said, okay. What —?

Chairman Hair said, you direct staff to do the intergovernmental agreement and bring it back to us for approval at the next meeting.

Commissioner Kicklighter said, yes sir. What I would like to see happen there with —, is us actually —, because the estimated cost to repair that bridge was \$40,000, would be for us to go ahead and repair or pledge \$40,000 to repair the bridge, but with the agreement in the intergovernmental agreement with Bloomingdale that they would annex that entire road and not come back to us in the future for future monies. In other words, they wouldn't hold us liable for that bridge.

Chairman Hair said, well, what we agreed to the last time I thought, Commissioner Kicklighter, was that we would do a 50/50 and I —, now you're asking us to do a hundred percent. That's not the agreement we had at the last meeting. Commissioner Kicklighter said, right, and I —. Chairman Hair said, I think that's wrong. Commissioner Kicklighter said, — and I know that. And to put up —, the reason why after I sat back and thought about it, this same body agreed to pay \$100,000 to fix a road on Hutchinson Island that once this body put the money up to develop that Island, the City of Savannah annexed all of that Island to get the profits, and with no opposition whatsoever, this group voted, and I voted also, to help repair that road for \$100,000 when they're actually getting the revenues, where this is fixing a bridge that is —, whether or not it's half or the whole thing —, it's in the unincorporated and if it falls in, we're all in trouble. Chairman Hair asked, can I ask a question? Commissioner Kicklighter said, sure. Chairman Hair asked, if we own —, if we don't own the entire bridge, can we legally spend money to repair something we don't own? County Attorney

Hart said, well —. Chairman Hair said, I don't think we can do that legally. County Attorney Hart said, well, you can't repair half a bridge. I mean, you know, you've got to —, if you're going to go in —. Chairman Hair said, that's exactly right. County Attorney Hart said, if you're going to go in, you've got to repair the whole bridge. Chairman Hair said, that's not my question. County Attorney Hart said, I know, but I —. Chairman Hair said, my question is if we don't have ownership of the bridge, how can we spend any money? County Attorney Hart said, well, it's Bloomingdale's position that it's a public bridge. There's some stuff that says that maybe it's not and it's sort of a split opinion on that. And the only way you're ever going to clear it up, I talked with Jim Gerard and he actually wrote us a letter saying, you know, we could argue about this and the only way you're ever going to find out what it is is through a court order. And if you wanted to, you could recognize the bridge as being public and take it into the County and then repair the bridge if you chose as a policy matter. The problem is that the records on that are so skewed that if you look at just what's on the record, it's hard to say one way or the other. If this County were to say we want the bridge and we want to be responsible for the bridge, then as a matter of policy, you could pass that, and then if you want to repair it —. Chairman Hair said, but only if we got title to it. We don't have the title to it. County Attorney Hart said, well, you really don't have title to —, you know, you don't have a legal title where you're going to have a deed on this, but I'm saying —, and that's the way it is on most of these older roads. You gain title to it or the publicness of it by the repair and operation of it over the years, and the only way the County can be held responsible for something it doesn't want is to recognize that it doesn't want it, and if you recognize that you want it, then it's a simple matter of saying it's a public bridge and as part of the annexation we're going to do what Commissioner Kicklighter asks or whatever portion the committee —, the council wants to do.

Commissioner Kicklighter said, legal question. Chairman Hair recognized Commissioner Kicklighter. Commissioner Kicklighter asked, do we own the property that this body voted to spend millions on to extend the River Walk or is that the City of Savannah? County Attorney Hart said, that's in the City of Savannah. Commissioner Kicklighter said, okay. That's pretty good then. You know, here I'm talking about repairing a bridge that may eventually fall in, but this same group spends millions of dollars to extend little river walks in Savannah, which is great, but, you know, we're talking our duties —, bridges, roads, drainage, protecting the people —, and, you know, we're worrying, scuffling over \$40,000 when we're spending millions on that. We're spending millions to repair museums throughout the City, we're spending millions on everything except for what I believe we're elected to do, and that's protect the people. When they fall in a river because we can't decide who actually maintains that bridge in the unincorporated on that dirt road, which I know Bloomingdale has never maintained that dirt road or that entire area, so I don't know how they supposedly got into this part of —, owning part of this bridge because they never maintained it. And, you know, I just —, I think it's our duty to fix the bridge in the area or at least —, the very least pledge the \$40,000 towards repairs of the bridge and we won't be held liable in the future. They will take control. Chairman Hair said, make a motion. Commissioner Kicklighter said, I'll make a motion to pledge \$40,000 to repair the Osteen bridge. Chairman Hair asked, does that motion have a second? Commissioner Kicklighter said, and —, if I can finish my motion, I'd appreciate it —, providing that Bloomingdale assumes liability for the entire road and the bridge in the future. County Attorney Hart asked, and maintenance? Commissioner Kicklighter said, and maintenance of it. Commissioner McMasters said, I'll second that.

Chairman Hair said, okay, Commissioner McMasters and then Commissioner Odell and Commissioner Murray.

Commissioner McMasters said, Jon Hart, didn't we have testimony previously a meeting ago or two on this subject that Robert Drewry represented that we have done maintenance for this bridge in the past? County Attorney Hart said, and we had a DOT report that they sent that —, they sent it to us basically because I think they identified it as a —. Commissioner McMasters said, County bridge. County Attorney Hart said, — County bridge just because they thought it was a County bridge, and I don't know that —, I'd have to ask Mr. Drewry about —.

County Manager Abolt said, I really want —, in the interest of time I would really urge you, if this motion passes, you still control it through intergovernmental agreement. Without wrapping this up in an intergovernmental agreement, this is going to come back on other issues. Commissioner Kicklighter said, okay, well, that's what I meant by providing that they sign through an intergovernmental agreement.

Chairman Hair said, you still have the floor.

Commissioner McMasters said, okay. So do —, have we maintained this bridge as far as looking —. Mr. Robert Drewry said, yes sir, we have done prior maintenance on this bridge. Commissioner McMasters said, okay, thank you. The only request I would make in your motion, if it passes, is that we identify the funding as FY 05. Commissioner Kicklighter said, that would be fine. I'll accept that amendment.

Chairman Hair asked, second accept that? You seconded, so it's your —, okay. Commissioner Odell and then Commissioner Murray and then we're ready to vote. Commissioner Odell said, I'll yield —. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Dean [Kicklighter], if I understood your motion correctly, because it was discussed at one point they would do half and half, but right now they would take full responsibility for this annexation, the whole road would be annexed into them? Commissioner Kicklighter said, yes sir. Commissioner Murray asked, Robert [Drewry], is the \$40,000 what we estimated it's going to cost to fix that bridge? Is that a pretty good estimate? Mr. Drewry said, we asked our current contractor to go out and take a look at it and kind of give us a quick quote, so that \$40,000 came from him. Commissioner Murray said, okay. And if this motion passes we would give \$40,000; if it goes over that, Bloomingdale's going to have to pay the balance of it? Commissioner Kicklighter said, yes sir. County Attorney Hart said, not to exceed —, is that amended not to exceed then? Commissioner Kicklighter said, yes. Chairman Hair said, not to exceed. Commissioner Kicklighter said, we would pay up to \$40,000.

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

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved that the County pay up to \$40,000 from the FY 05 budget for the repair to the bridge on Osteen Road, provided that Bloomingdale signs an intergovernmental agreement assuming liability and maintenance for the bridge and Osteen Road in its entirety in the future. Commissioner McMasters seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**VIII. TABLED/POSTPONED ITEMS**

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

1. **QUESTIONS YOU MAY HAVE REGARDING THE MID-YEAR BUDGET REPORT. AGAIN, IT WOULD BE HELPFUL IF STAFF WOULD RECEIVE THESE QUERIES IN ADVANCE OF THIS MEETING.**

Chairman Hair asked, does anybody have any questions on the mid-year budget that's not been resolved?

**ACTION OF THE BOARD:**

This action was not untabled and placed before the Commissioners for consideration.

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2. **RECEIVE PROPOSED CASH FLOW PLAN FOR CURRENT SPLOST AS INFORMATION AND BE PREPARED TO MAKE A DECISION ON THE 12<sup>TH</sup> OF MARCH. *Tabled at meeting of February 27, 2004.***

Chairman Hair asked, we need a motion to take it off the table. Nobody wants to take it off the table? Leave it on the table.

**ACTION OF THE BOARD:**

This action was not untabled and placed before the Commissioners for consideration.

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3. **BOARD CONSIDERATION OF A PETITION NOT TO PAVE WELCH STREET. Request to table by Commissioner Murray in that citizen proponent was not available for February 27, 2004, meeting. *Tabled at meeting of February 27, 2004.***

Chairman Hair asked, do you want to make a motion to take it off? Commissioner Murray said, I move to take it off the table. Commissioner McMasters said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.] Chairman Hair said, the motion passes.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yeah, I just passed down a part of a petition that was given to me of the property owners and how much front footage each property owner owns on Welch Street, and you have two people with a total of 400 front footage and then you have the balance of the people, and I haven't totaled that up to see what the total was, that are requesting that Welch Street not be paved. Staff has come back with a recommendation that if we vote not to pave it, that the property owners then would have to take in and I guess we would quitclaim the properties to them and they would be totally responsible for the maintenance of the road. Robert [Drewry], could I ask you a couple of questions, please? Do you have the maintenance schedule of what's been done on that road on an annual basis? Mr. Drewry said, we routinely we provide two gradings a month and then we do the work orders when we have holes or when we need to fill here and there. That will be as a work order grading. But two gradings a month and as work orders are needed. Commissioner Murray asked, as an average, do you have an average cost of what we spend? Mr. Drewry said, no, I don't have that handy with me. I apologize. Commissioner Murray said, okay. The reason I'm asking those

questions, I understand where staff's coming from and I tried to justify both ways what would happen if we vote not to pave the road, and I don't know what the tax base is on that road at this point, but I think that is one of the few services that the residents receive when, in fact, we do something down there because the trash pickup and everything else we have, fire protection and everything else we pay for. It's not done on the tax bills. I think there are some people, both pro and con on this in the audience, and if they'd like to speak first, go ahead and see if anybody would like to speak on it.

Chairman Hair asked, anybody like to come forward and make a presentation on this, we'd be glad to hear you.

Ms. Elizabeth Cain said, good morning, Mr. Chairman and Commissioners. My name is Elizabeth Cain. I live on Welch Street and we are in the unusual position of asking this Commission not to do something for us, which is not to pave our road. This is a 710-foot road. It dead-ends at the marsh and has a little turn-around around the 70-inch heritage oak and it is a quiet, secluded —, even with the new construction which is going on now —, road. We don't get much traffic. Occasionally we get people walking down with their dog or people from the community will come down. It's very quiet for the residents and you can actually see pictures on the web if anybody is interested in putting those up at welchstreet.com. Welch Street is a dirt road and we like it like that. The County has a policy to pave all the dirt roads in Chatham County. This Board directed that policy. We feel like in our instance and in possibly other instances in the County that dirt roads could be an asset, that they have certain nostalgia qualities to them. They also have scenic, they also have beauty, they also have cultural and they have environmental aspects and issues surrounding dirt roads. In asking for our request, I would also like this Commission to consider —, I know there's going to be other petitions before you for saving dirt roads —, I'd like for you to consider in a broad based policy when this does come before you, when those people that live on the dirt roads don't want them paved, how to consider —, how you can consider working with us. The County wants to get rid of the maintenance equipment conceivably some time in the future and, you know, conceivably in the future I'll win a million dollars, but I know that —, I understand that that's the goal of the County to reduce their expenses in the maintenance cost and maintaining these dirt roads. I would like to propose the idea that the County actually consider some of these dirt roads, not necessarily ours, but other dirt roads as an asset to the quality of life and living in Chatham County. We are also concerned about the impact the pavement would do. The County —, I want to thank Russ Abolt and Robert Drewry and the County Engineering Department. They took extra effort to look at our concerns. They came up with a plan for our road that really and truly saved a lot a trees, but we have real concerns about what the impact of this paving would do to these trees. We have a beautiful canopy growth and the paving on some [inaudible] goes almost —, it's a 50-foot right-of-way, it goes almost —, it's a 50-foot right-of-way. They have created an island in the center for us. They have made extra effort to work around these trees, but we still believe those trees will be heavily impacted. We also believe that our quality of life will be heavily impacted and that we'll be exposed to traffic and our speed will —, rates on the road will increase. We don't get much traffic down there now and we would like that it stay the same. Thank you.

Commissioner Kicklighter said, first, I'd like to say I'm going to support Commissioner Murray because it's in his district whatever he decides to do, but I want to just ask the staff. Surely we have some dirt roads in the area that the people would like to have them paved. Do we have any nearly this size that the money could be transferred or something? Commissioner Rayno said, First District. County Manager Abolt said, I wouldn't ask you to make that decision today. Obviously, the goal is, as testimony was given, we've been told by previous boards and reaffirmed by this to pave every unpaved road in the County. Commissioner Kicklighter said, right. County Manager Abolt said, we would have to re-evaluate the priority. Commissioner Kicklighter asked, couldn't we just put them last and then, you know —? County Manager Abolt said, this is [inaudible] and the citizens are being very frank and I honor that. I honor their concerns for the neighborhood. This is a dynamic situation. You all of a sudden have a change in ownership and if somebody who was not here at the time you took this action will say why isn't the County paving my dirt road because I don't get any services from you. Or, as Mr. Drewry will tell you, and I can certainly look in the Westside, these roads literally eat us up. Commissioner Kicklighter said, we'll take it on the Westside. County Manager Abolt said, but what I'm saying is that they're just —, there's no efficiency in continuing to maintain a road with the department, in this case Public Works and Parks Services, that literally is poor and figuring you have to shag from Wilmington Island, let's say, all the way out to almost Effingham County, all that down time and all the problems you have, particularly when it rains, and people are not patient when it's raining and they've got washboards and they cannot get in and out of their house, and that's what we're trying to —, we're not trying to be unsensitive and unmindful of it, but we truly have an issue here that we cannot solve if we continue to have dirt roads as the responsibility of the general taxpayer. That's why we feel the issue of quitclaiming it that puts it right on the responsibility of the owner. A future purchaser of the property knows when he or she purchases that is not a public road. It's just truth in lending.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I used to live on a dirt road so I love dirt roads. Ms. Cain said, I do too. Commissioner Rayno said, it was great and in my mind it's always a dirt road, and when they paved it, it ruined the character of it. I know that. There might be alternatives, you know, that would save the budget costs. You know, I don't know if the County has considered putting that white stone down on the road. I know I see it on driveways. It stays a long time. Or the limestone. I don't know if those are options or not, but —. Ms. Cain said, Mr. Rayno, we don't receive very much maintenance and the lowest part of the road doesn't receive any maintenance at all because of the canopy trees, the grader does not come around, so —. Commissioner Rayno asked, do you really get it twice a month. Ms. Cain said, no, we don't. Commissioner Rayno said, I didn't think so. An unidentified gentleman from the audience said, we don't need it. We don't need it twice a month because they did put limestone on the road —. Commissioner Rayno said, okay. The unidentified gentlemen from the audience said, — a couple of years ago. So since then they haven't graded it at all. Commissioner Rayno asked, but you'd be happy on an as needed basis? The unidentified gentleman

from the audience said, when they do grade it, they mess it up badly and I stay out there with a shovel and a rake and try to straighten it out, but we —.

Chairman Hair said, let's try to get —, let's try to go in —. Sir, if you want to speak, we need you up here on the record, sir. The unidentified gentleman from the audience said, [inaudible]. Chairman Hair said, okay. Next please. State your name for the record.

Ms. Tina Hardy said, my name is Tina Hardy and I own two pieces of property on that street. I agree with what Becky said. I have lived on Welch Street just about all of my life and it is a very pristine area. We —, part of the reason why people like living on that street is because it is pristine and beautiful down there, and I do agree that if we pave that road, it would ruin the whole atmosphere of the street. I would like for the County to just put us last on the list or just leave our street alone and not pave it. That is a sand road. It is hard-packed, and when it rains, there are no puddles because it just seeps right through that sand. Even when we have spring tides and the water will actually come over the bank, the tide recedes and the water is gone. It's not left standing because of that sand. So it does not require a lot of maintenance and, like I said, I have lived down there all my life and there is —, really there's no reason for them to do anything to maintain that road. It's not expensive for the County, and I would like for the County to just leave the road as it is or at least put it at the very end of the list so that it can be considered at a future time. Now, I would personally want to know what the proposal was for —, if the County decided as an alternative to like quitclaim the property because there are —, the road goes all the way back to the marsh and there are two families at the end of the road, of course, and if you just went out 25 feet on everybody's property line, then those two families are going to own all the marsh-front property, which I have a real concern about that because unfortunately I'm not one of those two families. So I would —, you know, I would not particularly be in favor of that. Perhaps privatizing it and having it so that all of the people on the street equally owned the road, all of the road all the way down to the marsh and, do not —, it was not just 25 feet out to the middle of the road and everybody extend their property 25 feet. I would not be in favor of that at all.

Chairman Hair said, thank you, ma'am. We appreciate you being here. I don't think anybody else —, does anybody else want to speak? I don't think —, nobody's asked for any action today I don't believe.

Mr. David Kaminsky said, my name's David Kaminsky. I appreciate your listening and I just want to say one thing. I agree with everything that my wife has said, and if the gentleman from the Public Works thinks that —. Chairman Hair said, you're going to have a long, happy marriage. Mr. Kaminsky said, it just occurred to me that the gentleman from Public Works thinks that our road's being paved —, or graded twice a month. He needs to talk to the road crews because I think somebody is not telling the truth because literally I think everyone here would agree that I don't think we get graded two or three times a year, and that's no exaggeration.

Chairman Hair said, thank you, sir. We appreciate it. Okay, Commissioner Murray and then I think we're ready to wrap it up.

Commissioner Murray said, yeah, based on what we've heard, I would recommend that we move this down to the bottom of the prioritized list that we have on roads —. Commissioner Kicklighter said, second. Commissioner Murray said, — and we tried to bring this back together —. Chairman Hair said, all those in favor vote yes —. Commissioner Murray said, whoa, whoa. And during that process if we don't come up with some alternative that we work towards whether or not we're going to quitclaim that road or not quitclaim that road. That's the only reason I want to put it down at the bottom of the prioritized list so we can work through that part of it.

Chairman Hair asked, who seconded the motion? Commissioner Kicklighter said, me. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.] Chairman Hair said, the motion passes.

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

Commissioner Murray moved that, at the request of property owners, Welch Street be moved to the bottom of the prioritized list for paving and that at a later date we consider whether or not we should quitclaim the roadway to the property owners for upkeep and maintenance. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**IX. ITEMS FOR INDIVIDUAL ACTION**

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

1. **REQUEST BOARD APPROVAL OF A SPECIAL SERVICE DISTRICT CONTINGENCY TRANSFER OF \$4,320 TO PUBLIC WORKS FOR ROAD REPAIRS; AN AMENDMENT TO THE CAPITAL IMPROVEMENT PROGRAM (CIP) FUND TO RECOGNIZE \$96,105 IN REVENUE FROM SALE OF SURPLUS VEHICLES, AND A TRANSFER OF \$217,130 FROM GENERAL FUND M&O RESTRICTED CONTINGENCY AND TO APPROPRIATE \$96,105 FOR GARAGE BUILDING REPAIRS AND VEHICLE REPLACEMENT, AND \$217,130 FOR A MOSQUITO CONTROL HELICOPTER; A TRANSFER OF \$217,130 FROM GENERAL FUND M&O RESTRICTED CONTINGENCY TO TRANSFER OUT TO CIP, AND AN AMENDMENT TO THE CONFISCATED FUNDS SPECIAL REVENUE FUND TO RECOGNIZE \$6,920 REVENUE FROM SALE OF SURPLUS VEHICLES AND TO APPROPRIATE \$6,920 FOR PUBLIC SAFETY.**

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

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve a Special Service District Contingency transfer of \$4,320 to Public Works for road repairs; an amendment to the Capital Improvement Program (CIP) fund to recognize \$96,105 in revenue from sale of surplus vehicles, and a transfer of \$217,130 from General Fund M&O Restricted Contingency and to appropriate \$96,105 for garage building repairs and vehicle replacement, and \$217,130 for a Mosquito Control helicopter; a transfer of \$217,130 from General Fund M&O Restricted Contingency to transfer out to CIP, and an amendment to the Confiscated Funds Special Revenue Fund to recognize \$6,920 revenue from sale of surplus vehicles and to appropriate \$6,920 for Public Safety. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

**AGENDA ITEM:** IX-1  
**AGENDA DATE:** March 12, 2004

**DATE:** March 4, 2004  
**TO:** Board of Commissioners  
**THRU:** R.E. Abolt, County Manager  
**FROM:** Linda Cramer, Finance Director

**ISSUE:**

To request approval of a Special Service District contingency transfer of \$4,320 to Public Works for road repairs; an amendment to the Capital Improvement Program (CIP) Fund to recognize \$96,105 in revenue from sale of surplus vehicles, and a transfer of \$217,130 from General Fund M&O Restricted Contingency and to appropriate \$96,105 for garage building repairs and vehicle replacement, and \$217,130 for a Mosquito Control helicopter; a transfer of \$217,130 from General Fund M&O Restricted Contingency to transfer out to CIP, and an amendment to the Confiscated Funds Special Revenue Fund to recognize \$6,920 revenue from sale of surplus vehicles and to appropriate \$6,920 for Public Safety.

**FACTS AND FINDINGS:**

- 1) The Public Works Director has requested a Special Service District contingency transfer of \$4,320 for repairs to the entrance to Rivers Bend subdivision. Copies of correspondence are attached.
- 2) The proceeds from the surplus vehicle auction on 2/12/2004 totaled \$110,615. Included in the total were \$6,920 from sale of vehicles purchased with confiscated funds and \$7,590 for Solid Waste fund vehicles. These amounts will go in to these respective funds. A budget amendment to recognize the balance of \$96,105 in the CIP fund is presented for approval. \$19,000 of this amount would be designated for critical repairs to the Fleet Maintenance building. The remaining \$77,105 would fund vehicle replacement. A memo from the Fleet Manager is attached.
- 3) The Restricted Contingency in the General Fund M&O has a balance of \$217,130. A request has been made to transfer these funds for use toward purchase of a helicopter for Mosquito Control. This will require a transfer of funds within the General Fund M&O from Restricted Contingency to Transfer Out to CIP. A

budget amendment in the CIP fund will recognize the revenue and appropriate the funds for a Mosquito Control helicopter. (Note: This does not cover the entire cost).

- 4) The attached budget resolution for the Confiscated Funds Special Revenue Fund will recognize \$6,920 revenue from sale of surplus vehicles and appropriate \$6,920 for Public Safety.

**FUNDING:**

The budget amendments establish funding in the respective funds. Funds are available in the Special Service District Contingency General Fund M&O Restricted Contingency for the transfers requested.

**ALTERNATIVES:**

- 1) That the Board approve the following:

**SPECIAL SERVICE DISTRICT SPECIAL REVENUE FUND**

A contingency transfer of \$4,320 for repairs to the entrance to Rivers Bend subdivision.

**CAPITAL IMPROVEMENT PROGRAM FUND**

A budget amendment to recognize \$96,105 in revenue from sale of surplus vehicles, and a transfer in of \$217,130 from General Fund M&O Restricted Contingency and to appropriate \$19,000 for garage building repairs, \$77,105 vehicle replacement (total \$77,105) and \$217,130 for a Mosquito Control helicopter.

**CONFISCATED FUNDS SPECIAL REVENUE FUND**

A budget amendment to recognize \$6,920 in revenue from sale of surplus vehicles and to appropriate \$6,920 for Public Safety.

**GENERAL FUND M&O**

A transfer of \$217,130 from Restricted Contingency to Transfer Out to CIP.

- 2) Amend or deny the requests.

**POLICY ANALYSIS:**

State law grants the Board authority to amend the budget during the year as it deems necessary.

**RECOMMENDATION:**

That the Board approve Alternative 1.

Prepared by: \_\_\_\_\_  
Read DeHaven

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**2. REQUEST BOARD APPROVAL FOR A MPD BUDGET ANALYST AS PROVIDED IN THE INTERGOVERNMENTAL AGREEMENT FOR JOINT POLICE SERVICES.**

Chairman Hair said, I'll entertain a motion. Commissioner Gellatly said, I have a question. Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, I have a question on it as to whether that position is really needed, okay, and the reason for that is that, as I remember, when we went through our budget crunches and we hired our new Finance Director, why we restored all of the staff that was cut or was put on hold or what have you, and I'm just wondering why we need to have this position at this point in time. County Manager Abolt said, two different issues —. Commissioner Gellatly said, it seems like a duplication of services. County Manager Abolt said, no sir, it's not. Two different issues. One, we have the inadequate staffing of the Finance Department given its current commitments and you've addressed that and we appreciate it. The other has to do with the merging of the Police Department with the clear understanding that we communicated to both parties that the County certainly needs a resource to make sure that our expenditures going forward are done for the purpose and the intend that you approve. That could not be layered on existing staff. This is a reasonably full time commitment and we had called for and you agreed in the intergovernmental agreement to have this position set aside as a new position. This is essential in my estimation. The reason being is the merger is working wonderful, but you have not addressed budget issues, which you're going to begin to address when you start you deliberation in May/June. I cannot guarantee you going forward that when you have specific questions as to how is this money being spent, why was this officer doing this, we do not have the flexibility in staff to provide instantaneous answers to those questions. Commissioner Gellatly said, I'm not through with my question. County Manager Abolt said, I apologize, sir. Commissioner Gellatly said, Russ [Abolt], I'm listening to what you're saying, but my thought is that before the merger you obviously had an analyst or someone that looked at these very same problems, and I would think that you haven't been cut any from out of that —. County Manager Abolt said, no sir. My frank answer, we don't have enough. We have a total of three Budget Analysts doing the entire County. To layer this on them, I think, not only would be unsatisfactory to you all, but we could not turn around information that I would need and you would no doubt need to evaluate issues that will come up, and I feel it's —, that's the only reason I recommended the additional person in the agreement. I think this gives us the capacity that we will appreciate over time.

Chairman Hair said, my question is if it's already in the agreement, we don't need —, it's already been approved. County Manager Abolt said, but what you have to do, your answer is yes, but you have to translate the agreement into an authorized budget position. All Ms. Cramer is doing is saying amend the budget in Finance Department to add a Budget Analyst. Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, thank you. The actual intergovernmental agreement says the —, that it may designate, we may have this employee. It does not say shall. My question is a year ago how many people did we have in the Finance Department versus today? County Manager Abolt said, I don't —, sir, you added one more person, was the assistant, and I think that was it. I'm not sure whether Ms. Cramer, if she's here, could add —. I can't recall right off the top of my head. Ms. Cramer said, I think you added two positions in the last budget year, the Accounting Tech and the Assistant Finance Director. Commissioner McMasters said, plus your hire as a new person. Ms. Cramer said, right, and we're still trying to fill some of those positions. We had some interdepartmental promotions. Commissioner McMasters asked, so are you short any people right now in your department? Ms. Cramer said, yes, I'm short a Senior Accountant because of a promotion. We're also still looking at the Accounting Tech position. We're interviewing for that in the next couple of weeks. Commissioner McMasters said, okay, so this —, this is an additional person. County Manager Abolt said, yes. Ms. Cramer said, this is an additional person to handle issues under the police merger. Commissioner McMasters asked, so if you were to fill those two vacant positions, you would still need this person? County Manager Abolt said, yes. Ms. Cramer said, yes, this person would be on the budget side, [inaudible] functions would be more in the accounting process and paperwork. Commissioner McMasters said, thank you. I appreciate that. The struggle that I have, Russ [Abolt], is —, and I'll make an analogy to the women and minority initiative that we originally thought we might try to administer in-house and we decided, no, it was far too complex and therefore we needed to out source that contract and we spent, you know, a lot more money than the low bid on the thing, and it was done so with your and your staff's assurance that that would satisfy our requirement in this noble effort of a 30% goal for women and minority participation. No sooner do we approve that contract, which was quite a high contract, than you recommend hiring another staff person —. County Manager Abolt said, I take complete exception with that, sir. We never portrayed the ability of staff as currently constituted to be able to do the type of challenging work that this consultant has to do. We came along and said it's a better use of resources going forward that once the consultant's work is complete, then we would have a lower level staff person to help administer, particularly making sure the force was held true. We never portrayed our ability to be able to do what this contractor is now doing in the issue of this particular allocation. We have a Finance Department ten years had no new people and we all reaped the world for that, you know, like last year, a year ago. What you're looking at is layering on a staff that is adequate to deal the current —, do their current job and giving them a situation where all of a sudden they have to become reasonably expert on the day to day operations of the Metro Police Department. I submit to you that's making the same mistake that was made in years past. I would never ask for staff people unless I feel they're essentially needed. I can —, from my heart I'm telling you that even though things are going well and I have every reason to believe they will go well, there are going to be issues and those issues will develop when you see certain things happening out there and say, well, why does this, you know, perceived County resource is it expended in downtown Savannah, why are we doing this, why are doing that, is there a fair allocation of cost between the County and the City. The only way I can give you reasonable answers to those questions is to have the capacity on staff, which we do not do, to focus on that type of analysis. Commissioner McMasters said, okay, my point, Russ [Abolt], I think you've adequately described it as a layering on of staff, and one reason this County has a fund balance for the first time in a long time is because we have expected to get more from existing staff. That's been the philosophy and the mandate of this Commission, that's why this County is turning around financially. I take exception to constantly advocating adding staff at every program, at every opportunity, and every event. I just expect greater and I —. County Manager Abolt said, I take exception to constantly. Ladies and gentlemen, I never do this unless it's needed. Further, you're looking at an organization that, yes, for ten years added no one and not only did you have the existing workload, which is more complex right now, you had this very exciting but challenging merging of the Police Department to which this body and the City Council are going to spend millions of dollars in the years to come and for which now I do not have a resource on staff that can give a true day to day accounting of where those resources are going.

Commissioner McMasters said, Russ [Abolt], let me ask you an ancillary question here. Your memo in the packet the last time, day before, pretty much told us that we are not in compliance with GASB in the Health Department. If we hire this additional person —, strike that. Are you going to recommend that we have to hire an additional person to get the Health Department GASB-compliant? County Manager Abolt said, sir, I don't know what your alluding to other than the fact that there was an issue taken by your State —, sir? There was a State communication regarding the audit requirements for treating the Health Department as a State agency. Commissioner Kicklighter said, let's stay on this topic. County Manager Abolt said, we made a certain request reported by the external auditor and Ms. Cramer that it be handled a different way. That has no bearing on layering staff, it has nothing to do with GASB-34 as far as the County is concerned other than the fact we do not want added responsibilities vis-à-vis the Health Department. Commissioner McMasters said, thank you.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, thank you, Dr. Hair. I had a meeting with Chief Flynn concerning the merge and had questions about the budget and I asked him straight out in that meeting about what he thought the cost would be for the County and he told me, and he can correct me if I'm wrong, that if there is any attempt by the City to shift costs to the County that he would be totally opposed to that, and I take this man for his word. This whole merge was based on trust between two departments and two governmental agencies, and I also trust another person on this County Commission and that is Commissioner Gellatly, who happened to be on the police force for well over 20 years. I should think that a man with his experience in law enforcement, and his continued experience in law enforcement because he works for a federal agency right now, that he would have the fortitude and wherewithal to look at a budget

and see something that was out of kilter and approach his fellow Commissioners and say this is wrong, we need to address this, and we have the ultimate authority as Commissioners through the SSD portion of this particular budget and the Metropolitan Police Department to say yes or to say no. And for us to say that we need to have a Budget Analyst when we have a true professional right on the County Commission, plus we have the analysts that are available at the Savannah Police Department and what we're saying to that is we don't trust you. This whole merger was based on trust and I have Chief Flynn's commitment to me, his word, that he will fight any cost-shifting, and I have —, we have to trust our new Chief. If we don't, we've got a serious flaw in this merger.

Commissioner McMasters said, I call for the question.

Chairman Hair recognized County Manager Abolt. Chairman Hair said, there is no question. There is no motion or second. Commissioner Rayno said, I would like to —, since I still have the floor. Chairman Hair said, there's no motion. Mr. Abolt, needs to respond and Commissioner Odell was next..

Commissioner Rayno said, I'd like to make —. Well, I still have the floor right now. I'd like to make a motion that we do not approve the MPD Budget Analyst.

Chairman Hair said, a motion is made. Commissioner McMasters said, second. Chairman Hair said, okay. Chairman Hair said, Mr. Abolt and then Commissioner Odell.

County Manager Abolt said, this is not an issue of trust. Not at all. This is an issue of internal information which you need to make decisions and I need to make decisions, and all I'm telling you is in the complexity of this merger, we do not want to be in a position where all of a sudden, well, I don't trust this person because I saw this happen. I want to factually be able to bring to you an analysis of expenditures. It's reasonable to expect when we're spending millions of dollars going forward that there are going to be issues by this Board and those boards going forward, to say nothing about the Savannah City Council, our partners. They're going to wonder why isn't the County paying for this, and you're going to wonder why are we paying for that, well how did we get it in the first place. It is not an issue of trust. All the gentlemen you alluded to are fine individuals.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I really think that by our micro-managing, the Chief [Gellatly] I have respect for him, but he's not an employee, he's a Board member. This is a position which I believe that we need and it's not a matter of trust. We need someone on our side who can do the analysis. What we're doing is we're creating a self-fulfilling prophecy. The people who oppose this position will at some point have all of these questions, why didn't you do this, why didn't you do that. If you don't give the people to staff, you can always find ways to criticize and that doesn't prove that you're right and finding error doesn't prove that you've solved anything other than you create the problem, someone else is assigned to accomplish a task, the task isn't accomplished and you criticize him. I think that we need to stop assuming that the simple fact that we were won a near bare election that that gives us omnipotent ability to know everything. It doesn't. This position was in the budget. If you compare the City of Savannah staffing and the Chief will —, and I respect and love the Chief. As Kicklighter would say, warm embrace, but this has nothing to do with love and trust. It has to do with are we going to have the people we need in place to ensure because there will be legitimate issues which we will need to have someone to review it on our behalf. Everybody cannot be micro-managing. It is —, I don't know how you can get elected and become omnipotent. That escapes me. Russ Abolt, whether some members choose to believe it or not, his is understaffed and we constantly look at the City of Savannah. Look at their staff and look at the number of people they have and compare it budget-wise. It's the difference between lightning and a lightning bug, but yet he comes to us for this position where we approved this position and when it comes time to fund it, we want to balk but yet we will still hold him accountable for it. I think it's blatantly unfair.

Chairman Hair said, I'm going to make a comment and call on Commissioner Kicklighter and Commissioner Murray. I am getting sick and tired of Commissioners constantly at every meeting beating up on the County Manager. I think the Manager does an outstanding job and I find it not only ironic, but hypocritical that the very people who don't want to approve Budget Analysts are the ones that spend three hours at every meeting asking budget questions. Every month, and I find that totally hypocritical and I'm just tired of everything being the Manager's fault. Everything is not the Manager's fault. When the Manager gets a question, it's usually because we created it. This body created it, and it's time that we take responsibility for what we do and try to —, and quit blaming the County Manager for everything that goes on in this County.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you. I agree, I think the Manager does an excellent job. I think he brought this in front of us for great reasons, what he feels is best for the County although I just disagree on the part —, I do not believe this position because I feel like we have an expert in police and the police budgets sitting right here with us. This man sitting beside can look through the budget and he'll know whether the money's wasted and, you know, something happens to him and he's not up here, then I think the County should definitely consider hiring someone, but right now we have an expert in policing and police budgets up here with us. So I just don't think the timing is appropriate, but I appreciate the Manager bringing forth what he feels is best. I just, you know, disagree because I feel we have —, have an expert in that sitting right here with us. So I will vote to not, you know, create that position.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, you know, we went through LOST negotiations and once we approved —, all the parties approved that negotiation, we agreed to hire two people in the Sheriff's Department just to check the people as they're being booked to make sure that we weren't paying more than what we should be paying. My question now is what is the difference in that, which I supported, and the difference in trying to hire somebody right now to take care of the questions that we all know will come up. That's not to say that the Chief is not doing his job, it's not to say that Commissioner Gellatly is not doing the job, but again he is a Commissioner, and we can look at budgets and stuff, but it's the responsibility of our staff to come back with the questions —, with the answers to the questions that we ask. I just am trying to understand where some are coming from that you don't think we need to hire somebody right now and the other side of the question whether we really do or really don't, and we've done it in other cases where we've hired people to take care of specific budget items and now we're saying that we aren't going to do it for another one that is probably just as important, if not more important, than the others that we're doing right now. I just am having a real struggle with what we need to do on this particular situation and, you know, I don't know whether we need to table it and address it at our next meeting and get some other questions answers in that two weeks time frame or whether we go ahead and make a decision today based on a lot of information we really don't have, I think.

Chairman Hair asked, do you want to make a motion? Commissioner Murray said, I want to listen to what is said. Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I just want to state that I caught a flack back when I was the only person out of both bodies that voted against the police merger. It was things like this that I knew would come up, additional expenses, when we were pretty much policing our area pretty good. I appreciate the fact that we wanted to merge with Savannah to help assist in the overall crime problem. These were the residents in our unincorporated area which had relatively, compared to the City of Savannah, a very low crime rate, and here we are already this quick coming adding more positions that's going to add to the —, eventually the taxes are going to go up for the unincorporated residents and it's going to be basically subsidizing the fighting the crime in the City of Savannah, so I personally don't feel too bad about voting against this because I caught a lot of flack for voting against the entire merger and it's already coming back to haunt this body of where the expenses are going to just start shooting through the roof from here on out, and I —, you know, this is one that I believe we can save on while we have the Chief [Gellatly] up here that he can look at that and so I just think it's a wasted expense right now.

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman. I, too, am very fed up with Commissioners trying to micro-manage. I agree that we must be stewards in every way possible. That's why we have a County Manager and every meeting, every meeting we spend a lot of time, a lot of time not only questioning, but every meeting we are requesting additional resources, and that's a cost to the taxpayers as well. A lot of paperwork, a lot of extra paperwork, and if you think that does not add up, then you have another thought coming, and I'd like to see us move forward from this petty kind of stuff. The little things that we can deal with, the questions that we have that we can address to the County Manager or other staff members prior to these meetings, I think we need to do that. A lot of answers can be gotten if we would do that, and I just don't feel that we need to be doing what we're doing constantly because I'm fed up with it. I've said it once, and I'm saying it again.

Chairman Hair said, thank you, Dr. Thomas. Commissioner McMasters, Commissioner Gellatly and then Commissioner Murray.

Commissioner McMasters said, I think I'm doing my job and whether this is micro-managing or petty, I'll give you a case in point. We just had six or seven citizens come up here and advise this Commission that they don't see a grader or street maintenance on their road but maybe once a year if they're lucky, and we've got staff telling us that it's done twice a month. If that's petty, if that's micro-managing, I'm sorry, I'm going to do that. Now if the County Manager can assure us that this police merger will stay on budget, to budget, I can support this position. If you can't make that assurance, Russ [Abolt], then I can't support it. County Manager Abolt said, sir, we never made the assurance that this thing in effect, to use your term, stays on budget. You're dealing with emergency services. Look, for example, at just the G-8 issue, something that we never planned for that was layered on us. Emergency services must react, they must be dynamic. They plan well, yes, and I do not recall in all of my administration as County Manager where the Chief of Police for Chatham County ever expended beyond his budget limits, and that is good news, but I'm not about to tell you that I can guarantee going forward, particularly in this very cosmopolitan County where we're going to have a merged police department that every year that Chief Flynn and I, we come before you and present a budget, that there is not going to be some things that may occur that might bust the budget. Commissioner McMasters said, that's a no.

Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, first of all, I'd like to say that, you know, I've been a County Commissioner for three years and some months and I've never ever beat up on the Manager, ever. I've always treated him with professional courtesy. I do not spend time and have not spent time micro-managing the County budget or what County employees do on a day to day basis. I do not bring up issues every meeting. I brought up a simple question that I had and I feel strongly about is that before the merger, before the merger you had a County Police Department that had a three million dollar budget or whatever the budget was, you know, several million dollar budget. Obviously you had some analytical capabilities in the Finance Department to handle that department. All right? Well, that department doesn't exist anymore. Then would it be logical that if you had an analytical person that was devoted to taking care of that good chunk of the budget, that you have a person that should be available to analyze this budget right now under a

merged police department. I think that it's critical, it needs to be done, but I also agree with my other Commissioners that I'm not going to be in a position every time we turn around that we've got to add staff, you know, because that's going to break the budget, and I feel strongly about it and I'm not beating up on anybody. That happens to be my question and that happens to be my question based on 40 years of law enforcement experience. Thank you.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, there was a comment made about the police merger and what it's doing and what it's not doing. I would just like to say that since we have merged and all the officers have been sworn in under one, I have seen more patrols in the Fourth District than we have ever seen. I have also seen the horse patrol out in Isle of Hope because of the large number of break-ins in that area. Chief Flynn is doing everything that he has said he would do with this process, and I did vote for the merger and I'm glad I did because I think that long term we will all be better off with it. But based on the comments that I've heard today and some of the questions that I don't feel like have been answered, I would move that we table this two weeks to our next meeting and that any Commissioner that's got any questions whatsoever, talk to the Finance Director or the County Manager, or whoever you need to talk to to get your answers.

Chairman Hair said, motion to table. Do we have a second? Motion fails for lack of a second. The motion on the floor is to deny the budget position. All those in favor of denying vote yes, opposed vote no. Commissioners Rayno, McMasters, Gellatly and Kicklighter voted in favor of the motion. Chairman Hair and Commissioners Murray, Odell and Thomas voted in opposition. The motion failed by a tie vote of four to four. [NOTE: Commissioner Rivers was not present when this vote was taken.] Chairman Hair said, the motion —, it's a tie so the motion fails. Okay. Since the vote's four to four, if you make a motion to approve it, it's still going to be four to four so it's still going to fail, so we'll just leave it on —. Actually, it's not on the table. You'll have to bring it back as another item, if you want to do that. County Manager said, thank you, sir.

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

Commissioner Rayno moved to deny the request for a MPD Budget Analyst as provided in the intergovernmental agreement for joint police services. Commissioner McMasters seconded the motion. Commissioners Rayno, McMasters, Gellatly and Kicklighter voted in favor of the motion. Chairman Hair and Commissioners Murray, Odell and Thomas voted in opposition. The motion failed by a tie vote of four to four. [NOTE: Commissioner Rivers was not present when this vote was taken.]

**AGENDA ITEM:** IX-2  
**AGENDA DATE:** March 12, 2004

**DATE:** March 4, 2004  
**TO:** Board of Commissioners  
**THRU:** R.E. Abolt, County Manager  
**FROM:** Linda Cramer, Finance Director

#### **ISSUE:**

To request approval for a MPD Budget Analyst as provided in the intergovernmental agreement for joint police services.

#### **BACKGROUND:**

Chatham County and the City of Savannah entered into an intergovernmental agreement for the purpose of providing joint police services through a police department known as Savannah-Chatham Metropolitan Police Department (MPD) on October 16, 2003.

#### **FACTS AND FINDINGS:**

- 1) Section V. B. of the agreement provides for the creation of a position known as a MPD Budget Analyst whose responsibility is to work in a coordinated effort to provide timely financial information to the County Manager and the Board of Commissioners.
- 2) The position will require \$19,480 to fund salary and benefits in FY2004. The annual recurring amount for salary and benefits is \$57,780.
- 3) Funds are available in the FY2004 budget for the Finance Department for the position in the current year. The proposed budget for FY2005 will recommend funding for the position in the Special Service District fund.

#### **FUNDING:**

Funds are available in the Finance Department Budget for FY2004. Funds will be requested in the Special Service District Special Revenue Fund budget for FY2005.

**ALTERNATIVES:**

- 1) That the Board approve a position of MPD Budget Analyst to be funded within the current General Fund M&O budget for the Finance Department for FY2004, and funded in the Special Service District Special Revenue Fund budget for FY2005.
- 2) Provide other funding for the position.
- 3) Deny or modify the request.

**POLICY ANALYSIS:**

Approval of the position is consistent with the provisions of the intergovernmental agreement.

**RECOMMENDATION:**

That the Board approve Alternative 1.

Prepared by: \_\_\_\_\_  
Read DeHaven

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### **3. REQUEST BOARD APPROVAL FOR A PROCUREMENT PROCEDURE AND FUNDING MECHANISM FOR G-8 RELATED EXPENDITURES.**

County Manager Abolt said, Dr. Hair, Dr. Thomas, gentlemen, this is as promised. This is the procedure we propose to handle reimbursements from the Federal government for G-8 expenditures.

Chairman Hair said, I'll entertain a motion to approve.

Commissioner Rayno asked, does this preclude us from doing 90 days same as cash that we talked about? County Manager said, no sir, it does not. Commissioner Rayno said, motion to approve. 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: Commissioner Rivers was not present when this vote was taken.]

**ACTION OF THE BOARD:**

Commissioner Rayno moved to approve a procurement procedure and funding mechanism for G-8 related expenditures. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

**AGENDA ITEM:** IX-3  
**AGENDA DATE:** March 12, 2004

**DATE:** March 4, 2004  
**TO:** Board of Commissioners  
**THRU:** R.E. Abolt, County Manager  
**FROM:** Linda Cramer, Finance Director  
Phillip M. Webber, CEMA Director

**ISSUE:**

To request approval for a procurement procedure and funding mechanism for G-8 related expenditures.

**BACKGROUND:**

In July 2003, the Coastal Georgia area was informed that it would be the host for the 2004 G-8 Summit. The summit is a gathering of world leaders to discuss pertinent topics that affect the member countries in addition to citizens around the globe.

**FACTS AND FINDINGS:**

1) Savannah has been designated as the media center for the summit. The Trade and Convention Center will act as the headquarters for an estimated 3,000 to 6,000 reporters and journalists. Savannah will also be the staging area for many mid and low level diplomats who will not be on Sea Island (estimated at 1,000 to 3,000).

2) Advance funding procedures need to be developed for G-8 expenditures. Procurement of items will have to begin in the near future. An accounting mechanism to capture the related costs can be created by establishing an Accounts Receivable code. Budgetary authority from the Board of Commissioners to expend funds for this purpose is requested.

3) The procedure will be as follows:

A G-8 Summit accounts receivable will be set up in the General Fund M&O and the Special Service District funds. Departments will code requisitions to this account number. No Requests for Payments can be used to fund G-8 expenditures.

Purchasing will review requisitions and route them to the Chatham Emergency Management Agency (CEMA) Director for review and approval. The CEMA Director will compare all requests to initial estimates.

Upon approval by the CEMA Director, standard procedures will be followed for purchasing and vendor payment.

Departments will retain copies of original invoices and other records as may be required for inclusion in a reimbursement request.

Overtime payments will be authorized by department heads according to operation plans pre-approved by the CEMA Director. Payroll time sheets should indicate "G-8" next to each employee's overtime hours incurred for the summit. Departments will retain records detailing overtime needs. Finance will charge G-8 overtime to the receivable account.

4) The review by the CEMA Director will determine if the purchase is G-8 related and appears to be eligible for reimbursement. **Charging a purchase to the account receivable will cause it to be considered as part of a reimbursement request. Actual reimbursement may or may not occur.**

5) Balances left in the Accounts Receivable after reimbursements have been received and applied will require funding through other mechanisms. This reconciliation will depend on the amount of funds actually received. At this time, the availability of funds and the timing of the reimbursement process is unknown.

**FUNDING:**

The FY2004 budget does not include any appropriations for the G8 summit. This procedure is based on reimbursement to come from the Federal Government. Any expenses not reimbursed could result in eventual draw down of Unrestricted Fund Balance.

**ALTERNATIVES:**

1) That the Board approve the procurement procedure and funding mechanism for G-8 related expenditures as outlined in Facts and Findings 2 through 5 above.

2) That the Board provide other direction.

**POLICY ANALYSIS:**

There is no existing policy regarding funding of unbudgeted events such as the G-8 Summit.

**RECOMMENDATION:**

That the Board approve Alternative 1.

Prepared by: \_\_\_\_\_  
Read DeHaven

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4. **REQUEST BOARD AUTHORIZE THE CHAIRMAN TO EXECUTE AN AGREEMENT WITH MOTOROLA, INC., TO UPGRADE THE PUBLIC SAFETY RADIO SYSTEM FROM 2.03 VERSION TO A 4.1 VERSION; AUTHORIZE THE CHAIRMAN TO EXECUTE AN EQUITY LEASE AGREEMENT WITH G.E. PUBLIC FINANCE TO PROVIDE FUNDING FOR THE RADIO SYSTEM UPGRADE; AND AUTHORIZE THE PROCUREMENT OF BI-DIRECTIONAL AMPLIFIERS TO ENHANCE "IN-BUILDING" RADIO COVERAGE IN THE COURTHOUSE, JAIL, JUVENILE COURT AND POLICE DEPARTMENT.**

Chairman Hair said, I'll entertain a motion to approve.

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

**ACTION OF THE BOARD:**

Commissioner Odell moved to authorize the Chairman to execute an agreement with Motorola, Inc., to upgrade the Public Safety Radio System from a 2.03 version to a 4.1 version, authorize the chairman to execute an Equity Lease Agreement with G. E. Public Finance to provide funding for the radio system upgrade, and authorize the procurement of bi-directional amplifiers to enhance "in-building" radio coverage in the Courthouse, Jail, Juvenile Court and Police Department. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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5. **REQUEST BOARD ACCEPT A PROPOSAL TO INSTALL DISC GOLF AT TRIPLETT PARK.**

Commissioner Rayno said, so moved. Chairman Hair asked, second? Commissioner Kicklighter said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Rayno moved to accept a proposal to install disc golf at Triplett Park. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

**AGENDA ITEM:** IX-5  
**AGENDA DATE:** March 12, 2004

**TO:** Board of Commissioners  
**THRU:** R.E. Abolt, County Manager  
**FROM:** Robert Drewry, Director, Public Works and Park Services

**ISSUE:**

To approve further planning for Disc Golf at Tom Triplett Community Park with certain guarantees of Mr. Ed Pulkinen, Mr. A. Baxter Frost and members of the Savannah Ultimate Network.

**BACKGROUND:**

At the February 13, 2004 Commissioners meeting, the Board approved conceptually to develop plans for a Frisbee Golf Course at Tom Triplett Community Park.

**FACTS AND FINDINGS:**

1. To approve further planning for Disc Golf at Tom Triplett, Savannah Ultimate Network will agree to keep site clean and maintain a safe environment for their participants.
2. Further they will agree to the re-location of certain baskets that might interfere with future development at Tom Triplett such as a branch library.
3. Savannah Ultimate Network understands that once the planning is complete, they will have to enter into an agreement with the Board for use of the facility.

**FUNDING:**

All expenses are the responsibility of Savannah Ultimate Network.

**ALTERNATIVES:**

1. That the Board approve the further planning for a Disc Golf course at Tom Triplett Community Park with the guarantee of Mr. Ed Pulkinen, Mr. A. Baxter Frost and members of the Savannah Ultimate.
2. That the Board provides staff other direction.

**POLICY ANALYSIS:**

It is consistent with Board policy to provide recreation activity for the citizens of Chatham County that is safe and free of risk.

**RECOMMENDATION:**

Staff recommends Alternatives 1.

District 7

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## **6. REQUEST FROM SUPERIOR COURT FOR APPROVAL OF TWO-YEAR LEASE FOR DRUG COURT TREATMENT OFFICE AND COUNSELING SPACE.**

Commissioner Rayno asked, is that going to be paid for out of existing federal funds? County Manager Abolt said, well, if it's —. Commissioner Rayno said, I mean, reasonable funds.

Chairman Hair said, we have Mr. DeLoach here. He can tell you. County Manager Abolt said, it's also keyed to whether federal grants are absolute —. If obviously the lease is signed and grant money is not there, then the County would have to fund it. Chairman Hair said, Mr. DeLoach can answer —, can you answer Commissioner Rayno's question?

Mr. Danny DeLoach said, it's coming out of existing County funds that we have in the budget. We're merely transferring.

Commissioner Odell recognized Commissioner Odell.

Commissioner Odell asked, Danny [DeLoach], where will it be located? Mr. DeLoach said, at the intersection of Wheaton and Goebel, over —. Commissioner Rayno said, Savannah Impact Building. Commissioner Odell said, yeah —. Mr. DeLoach said, right now it's in the Savannah Impact Building. They are moving to a new location and do not have room to house this. We've been lucky for the last two and a half years to live there free. Commissioner Odell said, I think it's a good program. I'll move for approval. Chairman Hair asked, second? Commissioner Kicklighter said, second.

Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.] Chairman Hair said, the motion passes. The Clerk asked, who seconded? I'm sorry. Commissioner Kicklighter said, me. Chairman Hair said, Commissioner Kicklighter. The Clerk said, thank you.

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the request from Superior Court for approval of a two-year lease for Drug Court treatment office and counseling space. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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## **7. JUVENILE COURT NEEDS AND SHORT TERM FIX (see attached memo to the Chairman and Board dated the 25<sup>th</sup> of February and follow-up staff report).**

Chairman Hair said, the County Manager was correct on Item #7. We approved the Superior Court, we did not approve the Juvenile Court. Juvenile Court needs a short term fix. I'll entertain a motion to approve that.

Commissioner Murray said, so moved. Chairman Hair asked, second? Commissioner Odell said, second. Chairman Hair said, all those in favor of the motion vote yes, opposed no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the transfer of \$64,000 from M&O Contingency to the Juvenile Court Budget to fund security upgrades by purchasing a walk through metal detector and an x-ray scanner (approximately \$35,500) and the hiring of four (4) additional personnel until the end of this fiscal year to staff this equipment (approximately

\$27,900). Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**8. BOARD CONSIDERATION IN SETTING OF PRICE FOR SALE OF PREVIOUSLY DECLARED SURPLUS OBSOLETE DRAINAGE CANAL TO INTERNATIONAL PAPER REALTY CORPORATION.**

Commissioner Kicklighter said, so moved. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair asked, do I have a second? Commissioner Odell said, second. Commissioner Thomas said, second. Chairman Hair said, okay. Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters asked, who from staff wants to answer questions about this? Chairman Hair said, ask you question first and they'll know what it is. We'll get the right staff person here. Commissioner McMasters said, I want to know if the —, page three of the attached material showing the right-of-way bisected by the drainage canal, if in fact we're talking about the acquisition of both sides of the drainage canal, being east and west. County Attorney Hart said, there's —. County Manager Abolt asked did you do Juvenile Court? Chairman Hair said, we're on —. County Manager Abolt said, I think you're on Juvenile Court, I think. Aren't you? Chairman Hair said, we approved it. County Manager Abolt said, I apologize. Chairman Hair said, go ahead Commissioner McMasters. Commissioner McMasters said, I've asked my question. I'll ask it again. County Attorney Hart asked, are you talking about these two plats? Commissioner McMasters said, I'm talking about this plat, drainage canal bisects the right-of-way. County Attorney Hart said, yes sir. The part that kind of looks like of a candy cane up there, down the middle —. Commissioner McMasters said, no. County Attorney Hart said, — is the part being acquired. Commissioner McMasters asked, and what's the —, why are we not selling the other part? County Attorney Hart asked, what other part? This part up here? Commissioner McMasters said, this part. If I understand you correct, Jon [Hart], we're going to sell this part. County Attorney Hart said, correct. Commissioner McMasters said, the 3.152 acres and I guess we're going to retain the other side. Now the appraisals all talk about the entire parcel. County Attorney Hart said, well, they own the entire parcel. The only thing that they don't own is the little ditch that runs through them and bisects them. Chairman Hair said, that's all we're approving is the ditch. Commissioner McMasters said, that's not what the appraisals say. The appraisals are for both sides of the right-of-way bisected by the ditch. County Attorney Hart said, yes, but they're asking in this purchase to purchase the middle slice. Commissioner McMasters said, okay. Well, what did we —, what did the appraisals, in independent appraisals, determine the value to be. County Attorney Hart said, there's two options there. We have two separate appraisals and insofar as the 3.1 acres, in other words, the little slice down the middle, we have one appraisal that came in at \$7,883 and another at \$6,304, and all I've asked in the staff report is do you want me to go with the higher appraisal or do you want me to average the two and take that price. Commissioner McMasters said, well, now we're —, they're not just purchasing the canal section, they're purchasing this entire —. County Attorney Hart said, no sir, they're not. Commissioner McMasters asked, they're not? County Attorney Hart said, no sir. Commissioner McMasters asked, well, why does the appraisal from Stewart show a value at \$4,951? County Attorney Hart said, because at the time this thing began there was some discussion about whether they wanted to go up here and purchase the entire tract and then there was some discussion of perhaps not doing it, and what we decided to do at that point was to appraise it so I could go in either direction with the thing depending on what the decision was rather than having to go back and reappraise the property after the fact. So I asked for an appraisal that would cover all the options. Commissioner McMasters said, okay, so what does the petitioner want to purchase? County Attorney Hart said, the petitioner wants —. Commissioner McMasters asked, the canal or Lot CT-1? County Attorney Hart said, the CT-1 is already owned by them. They own all that. The only thing that happened here, we put a ditch —, we own a ditch down the middle of their property that's been abandoned and because it's a right-of-way, we're required to sell it to them by a right-of-way type situation. If they had come to us on the front end, because they put hundreds of thousands of dollars of drainage improvements on this property, and asked us can we put hundreds of thousands of dollars worth of drainage and would you swap us for the ditch, we probably would have recommended at that time just to swap them for the ditch, give them the ditch, takes the hundreds of thousands of dollars in drainage. What happened here was nobody knew that that strip of land was going to be a right-of-way. Everybody assumed it would be an easement. Because it's a right-of-way, you've got some requirements at law about how you dispose of right-of-ways. And since the hundreds of thousands of dollars in improvements were already there and had been there for several years, the law doesn't prohibit us at that point to swap them. So you've got to sell it to them. So they went out and got appraisals that cost more than the ditch to buy the ditch.

Chairman Hair said, plus we got a second appraisal because some Commissioners wanted a second appraisal and we've added more money to the cost of the —.

Commissioner McMasters said, yeah, I'm —, the second appraisal shows a value of \$10,300. County Attorney Hart said, per square foot I don't believe —. Commissioner McMasters said, that would be page 15 of the Ganem appraisal. Who's paying for these appraisals? County Attorney Hart said, they are. Commissioner McMasters said, okay. Okay, so we've got an appraisal for \$4,951 and an appraisal for \$10,000 —. County Attorney Hart said, no sir, we do not. We have an appraisal on a square foot basis that when you calculate out the square foot of that 3.01, it comes to \$7,833 on one and \$6,304 on the other on a square foot basis. Commissioner McMasters said, right, and both of those refer to Lot CT-1. County Attorney Hart said, sure, that's where the ditch runs through. Commissioner McMasters said, I understand that. Then what —, who owns —, who will control the right-of-way for the remaining land, CT-2? The County? County Attorney Hart said, no sir. They own that too. Commissioner Kicklighter said, all we're selling is the ditch. That's what making our —, the ditch is wide so that's what's making up the amount of property you're seeing there, that they're buying. County Attorney Hart said, this is just an old County ditch that back in 1920-something got put on there to drain farmland, and at the time they drew the instruments for that, rather than making it an easement, for whatever reason the good Lord only knows, they drew it as a right-of-way deed, and because it's a right-of-way deed, we can't do something with it like we could an easement or something. So we had to handle it like a right-of-way sale or closing of the right-of-way. Under the right-of-way law the only people we could sell this to would be the people

from whom the property came from. Since they own both sides of the ditch, we've got to sell it to them if we want to dispose of it.

Commissioner Kicklighter said, I make a motion we sell for whatever —. Chairman Hair said, we've already got a motion and a second to approve on the floor.

County Attorney Hart said, and the only question I have is do you want to sell it for the highest appraised price. Commissioner Kicklighter said, yes. The Clerk asked, who made a motion and who —. Commissioner Kicklighter said, I think I did it. Chairman Hair said, yes, you did make a motion. Commissioner Odell said, and I seconded it. The Clerk said, okay.

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

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to set \$7,883.00 as the value for the sale of 3.15 acres of obsolete right-of-way on International Paper property on Highway 17, commonly known as the Berwick Plantation Commercial Tract, and located within the current owner's property. Commissioners Odell and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**X. ACTION CALENDAR**

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

Chairman Hair said, that takes us to the Action Calendar. There's one correction on Item #7 and that's District 7, not District 6. I'll entertain a motion to approve the Action Calendar.

Commissioner Kicklighter said, so moved. 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: Commissioner Rivers was not present when this vote was taken.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved that the Action Calendar be approved in its entirety. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

**[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 FEBRUARY 27, 2004, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the minutes for the pre-meeting and regular meeting of February 27, 2004, as mailed. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD FEBRUARY 19 THROUGH MARCH 3, 2004.**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved that the Finance Director is authorized to pay claims for the period February 19, 2004, through March 3, 2004, in the amount of \$2,560,825. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**3. REQUEST FROM THOMAS AND HUTTON, ENGINEER FOR THE DEVELOPER, GENESIS DESIGNER HOMES, TO RECORD THE SUBDIVISION PLAT FOR STONELAKE**

**TOWNHOMES, PHASE 2, ACCEPT THE FINANCIAL GUARANTEE AND COMBINE THIS PHASE INTO THE EXISTING STREETLIGHT ASSESSMENT RATE.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the request from Thomas and Hutton, engineer for the developer, Genesis Designer Homes, to record the subdivision plat for Stonelake Townhomes, Phase 2, accept the financial guarantee and combine this phase into the existing streetlight assessment rate. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**4. REQUEST FROM ASPINWALL ENGINEERING, ENGINEER FOR THE DEVELOPER, OKATIE CORPORATION, TO APPROVE THE CONSTRUCTED IMPROVEMENTS FOR CYPRESS CREEK, PHASE 2, AND REDUCE THE FINANCIAL GUARANTEE.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the request from Aspinwall Engineering, engineer for the developer, Okatie Corporation, to approve the constructed improvements for Cypress Creek, Phase 2, and reduce the financial guarantee. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**5. REQUEST FROM HGB&D, ENGINEER FOR THE DEVELOPER, GEORGIAN WALK DEVELOPMENT, TO ACCEPT THE PAVING AND DRAINAGE IMPROVEMENTS AT THE GROVE SUBDIVISION FOR COUNTY MAINTENANCE.  
[DISTRICT 6.]**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the request from Hussey, Gay, Bell & DeYoung (HGB&D), engineer for the developer, Georgian Walk Development, to accept the paving and drainage improvements at the Grove Subdivision for County maintenance. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**6. REQUEST FROM DOWNER DAVIS, ENGINEER FOR THE DEVELOPER, THAGGARD ENTERPRISES, INC., TO ACCEPT THE PAVING AND DRAINAGE IMPROVEMENTS AT SWEET BAILEY COVE FOR COUNTY MAINTENANCE.  
[DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the request from Downer Davis, engineer for the developer, Thaggard Enterprises, Inc., to accept the paving and drainage improvements at Sweet Bailey Cove for County maintenance. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**7. REQUEST FROM JAMES CORDE COMPANY, DEVELOPER, TO ACCEPT THE PAVING AND DRAINAGE IMPROVEMENTS OF KING GEORGE BOULEVARD EXTENSION FOR COUNTY MAINTENANCE.  
[DISTRICT ~~6~~ 7.]**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the request from James Corde Company, developer, to accept the paving and drainage improvements of King George Boulevard Extension for County maintenance. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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- 8. REQUEST BOARD APPROVE AN EARLY ACQUISITION REQUEST FROM JOSEPH PATRICK AT 9111 WHITFIELD AVENUE DUE TO THE WIDENING PROJECT. [DISTRICT 1.]**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the request from Joseph Patrick for early acquisition of 9111 Whitfield Avenue due to the widening project. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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- 9. REQUEST BOARD DECLARE AS SURPLUS A VACANT LOT ON WEST 40<sup>TH</sup> STREET IN THE CITY OF SAVANNAH AND AUTHORIZE CONVEYING THE COUNTY'S INTEREST HELD BY TAX DEED IN THE PROPERTY TO THE LAND BANK AUTHORITY. [DISTRICT 8.]**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the request from Joseph Patrick for early acquisition of 9111 Whitfield Avenue due to the widening project. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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- 10. REQUEST BOARD DECLARE AS SURPLUS A SUBSTANDARD-SIZED VACANT LOT IN THE CITY OF SAVANNAH AT 1611 GROVE STREET AND AUCTION THE COUNTY'S INTEREST IN THIS PROPERTY HELD BY TAX DEED. [DISTRICT 2.]**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the request to declare as surplus a substandard-sized vacant lot in the City of Savannah at 1611 Grove Street and auction the County's interest in this property held by tax deed. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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- 11. BOARD DECLARE AS SURPLUS SEVEN VACANT LOTS IN THE CITY OF SAVANNAH AND AUTHORIZE CONVEYING THE COUNTY'S INTEREST HELD BY TAX DEED IN THE PROPERTIES TO THE HOUSING AUTHORITY OF SAVANNAH.  
[814 WATERS AVENUE - DISTRICT 2.]  
[1130 COLLINS STREET - DISTRICT 2.]  
[1123 BOLTON STREET - DISTRICT 2.]  
[1217 BOLTON STREET - DISTRICT 2.]  
[1115 BOLTON STREET - DISTRICT 2.]  
[1137 BOLTON STREET - DISTRICT 2.]  
[1136 BOLTON STREET - DISTRICT 2.]**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the request to declare as surplus the following seven (7) vacant lots in the City of Savannah and authorize conveying the County's interest in the properties held by tax deed to The Housing Authority of Savannah: 814 Waters Avenue (PIN 2-0042-05-019), 1130 Collins Street (PIN 2-0042-15-004), 1123 Bolton Street, (PIN 2-0042-10-028), 1217 Bolton Street (PIN 2-0041-16-006), 1115 Bolton Street (PIN 2-0042-10-024), 1137 Bolton Street (PIN 2-0042-10-033), and 1136 Bolton Street (PIN 2-0042-05-003). Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**12. REQUEST BOARD APPROVAL TO ALLOW THE SALE OF BEER AT MEMORIAL STADIUM FOR THE ST. PATRICK'S DAY RUGBY MATCH.****ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the request to allow the sale of beer at Memorial Stadium for the St. Patrick's Day Rugby Match on March 16, 2004, sponsored by the Rugby League of Georgia, LLC in affiliation with the Savannah Sports Council. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**13. REQUEST BOARD AUTHORIZE THE TRADE CENTER AUTHORITY'S MANAGEMENT OF NECESSARY ROAD AND BRIDGE REPAIRS ON HUTCHINSON ISLAND.  
[DISTRICT 8.]****ACTION OF THE BOARD:**

Commissioner Kicklighter moved to authorize funding to the Trade Center Authority of \$228,000 for necessary repairs to roads and the Bryan Square access bridge repairs on Hutchinson Island with Chatham County providing engineering specifications for the repairs, but the Trade Center Authority will enter into contracts for the work, especially in consideration of coordination issues to avoid any adverse impact with events. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**14. REQUEST FOR NEW BEER POURING AND SUNDAY SALES LICENSES FOR 2004.  
PETITIONER: TUAN HIEP VAN NGUYEN, D/B/A QUAN KIM, LOCATED AT 4700-B  
HIGHWAY 80 EAST.  
[DISTRICT 4.]****ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the petition of Tuan Hiep Van Nguyen, d/b/a Quan Kim, located at 4700-B Highway 80 East, for new beer pouring and Sunday sales licenses for 2004. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**15. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING  
LICENSE FOR 2004. PETITIONER: DAVID D. MESSINGER, D/B/A PERKINS RESTAURANT  
& BAKERY, LOCATED AT 3-A GATEWAY BOULEVARD SOUTH.  
[DISTRICT 6.]****ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the petition of David D. Messinger, d/b/a Perkins Restaurant & Bakery, located at 3-A Gateway Boulevard South, for renewal of Sunday sales of beer, wine and liquor pouring license for

2004. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**16. 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. One year lease renewal option for office space for Chatham County Police Department Internal Affairs	Police	Mahia K. Wilson	\$13,740	SSD - Police
B. Six (6) laptop computers	Savannah-Chatham Metropolitan Police	Gateway Companies, Inc. (sole source)	\$12,600	Multiple Grant Fund - Police
C. One (1) 2004 Ford pickup truck	SPLOST	J.C. Lewis Ford	\$14,137.90	SPLOST (2003-2008) - Police Merger
D. Declare County owned property items as unserviceable and authorize property disposal by selling for scrap value	Fleet Operations	N/A	N/A	Revenue Producing
E. Change Order No. 1 to the annual contract for daily janitorial services at the Juvenile Court Facility and Administrative Annex/Police Headquarters to provide "daytime only" services at the Juvenile Court Facility	Facilities Maintenance and Operations	Quality Cleaning Contractors, Inc. (FBE)	\$950 per month	General Fund/M&O - Facilities Maintenance and Operations
F. Terminate the annual contract for seasonal lawn care and litter collection services and approve Change Order No. 1 to the contract with Chase Landscape, Inc., to add these locations to their scope of services	Public Works and Park Services	<ul style="list-style-type: none"> <li>• Terminate contract with Complete Lawn Care, Inc. (MBE)</li> <li>• Change Order No. 1 to contract with Chase Landscape, Inc.</li> </ul>	\$22,525	General Fund/M&O - Public Works and Park Services
G. <i>Deductive</i> Change Order No. 7 to the contract for the Westlake Outfall Drainage Improvements	Engineering	EMC Engineering Services, Inc.	(\$7,600)	No funding required
H. Contract for the Ogeechee Farms Drainage Improvements - Phase I	SPLOST	Southern Champion Construction, Inc.	\$245,862	SPLOST (1998-2003) - Drainage - Ogeechee Farms
I. Contract for site improvements (entrance road) at Southwest Elementary School	Engineering	Bryco, Inc.	\$176,312.90	100% reimbursable (GDOT and Savannah-Chatham Board of Education)
J. Reject and rebid the purchase of 70 golf carts	Henderson Golf Club	N/A	N/A	N/A

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve Items 16-A through 16-J. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present when this vote was taken.]

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**XI. FIRST READINGS**

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

1. **THE PETITIONER, TERRY COLEMAN, AGENT (FOR GREAT OGEECHEE RIVER PRESERVE, LLC, ROD SPANN, OWNER), IS REQUESTING REZONING OF 1401 FORT ARGYLE ROAD FROM AN R-A (RESIDENTIAL-AGRICULTURE) TO A PD-R-SM (PLANNED DEVELOPMENT-RECLAMATION-SURFACE-MINING) ZONING CLASSIFICATION AND APPROVAL OF A GENERAL DEVELOPMENT PLAN. THE MPC RECOMMENDED APPROVAL.  
 MPC FILE NO. Z-040115063706-1  
 [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Chairman Hair read this item into the record as the first reading.

=====

2. **AN AMENDMENT TO THE CHATHAM COUNTY SUBDIVISION REGULATIONS TO REQUIRE THAT FINAL PLATS BE SUBMITTED IN A DIGITAL FORMAT AND TO REQUIRE THAT PROPERTY IDENTIFICATION NUMBERS (PINS) BE PLACED ON ALL LOTS ON FINAL PLATS PRIOR TO RECORDING. THE MPC RECOMMENDED APPROVAL.  
 MPC FILE NO. S-040121-35525-1**

Commissioner McMasters asked, may I ask a question. Chairman Hair said, certainly. Commissioner McMasters said, I'd like to ask a question about number two. Chairman Hair said, ask. Commissioner McMasters said, and I want to know if this digital PIN change has been [inaudible] with the Board of Assessors and Tax Assessor's office. Have they had input in discussion? Ms. Charlotte Moore said, they have. Commissioner McMasters asked, they have? Ms. Moore said, the Homebuilders Association has as well. Commissioner McMasters said, there's nothing in the staff report that lets us know that in fact the Tax Assessors or Board of Assessors endorse or comment one way or another on this subject. That would be nice to have.

Chairman Hair said, okay, we'll do that in the future. Next question.

Commissioner McMasters said, this says final plats prior to recording. I presume that means recording in Superior Court? Ms. Moore said, correct. Commissioner McMasters said, okay.

**ACTION OF THE BOARD:**

Chairman Hair read this item into the record as the first reading.

=====

3. **AMENDMENT TO THE CHATHAM COUNTY REVENUE ORDINANCE FOR 2004.**

Commissioner Rayno said, my question was on the Revenue Ordinance. Chairman Hair said, okay, Revenue Ordinance, a question. Commissioner Rayno said, it's on Article L, just one question. DFCS reimbursement was taken out of the Revenue Ordinance. We still have some DFCS receivables. Does that mean we wouldn't be able to get their receivables any more if we removed it from the Revenue Ordinance? County Manager Abolt said, I'm sorry, sir —. Chairman Hair said, well, it's first reading anyway. County Manager Abolt said, we'll find the answer for you. It has no bearing on the receivables, but we'll get the answer for you, sir.

Chairman Hair said, and you don't vote on it until next time anyway, so you'll have time to get that. Commissioner Rayno said, that's fine. I just wanted to ask the question. Chairman Hair said, no problem.

**ACTION OF THE BOARD:**

Chairman Hair read this item into the record as the first reading.

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**XII. SECOND READINGS**

- 1. **THE PETITIONER, RESOURCE DEVELOPMENT GROUP, LLC, OWNER, IS REQUESTING REZONING OF A 105.2 ACRE SITE LOCATED EAST OF OLD RIVER ROAD THAT ABUTS THE EFFINGHAM COUNTY LINE, FROM AN R-A (RESIDENTIAL-AGRICULTURE) TO A PD-R-SM (PLANNED DEVELOPMENT-RECLAMATION-SURFACE MINING) ZONING CLASSIFICATION AND APPROVAL OF A GENERAL DEVELOPMENT PLAN. THE MPC RECOMMENDED APPROVAL.  
MPC FILE NO. Z-031217-62937-1  
[DISTRICT 7.]**

Chairman Hair said, I'll entertain a motion. Commissioner Kicklighter said, so moved. 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: Commissioner Rivers was not present when this vote was taken.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the petition of Resource Development Group, LLC, Owner, requesting the rezoning of a 105.2 acre site located east of Old River Road that abuts the Effingham County line from an R-A (Residential-Agriculture) to a PD-R-SM (Planned Development-Reclamation-Surface Mining) zoning classification and approval of a General Development Plan. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Odell and Kicklighter were not present when this vote was taken.]

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- 2. **AMENDMENT TO LICENSING AND REGULATION ORDINANCE, CHAPTER 18, OF THE COUNTY CODE, TO ADD ARTICLE IV, "PARADE AND PUBLIC ASSEMBLY ORDINANCE."**

Chairman Hair said, I'll entertain a motion to approve. Commissioner Murray 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 Clerk said, I didn't hear who made the motion. Commissioner Murray said, I did. Chairman Hair said, he made the motion and Dr. Thomas made the second. The motion carried unanimously. [NOTE: Commissioners Rivers, Odell and Kicklighter were not present when this vote was taken.]

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve an amendment to Licensing and Regulation Ordinance, Chapter 18, of the County Code, to add Article IV, "Parade and Public Assembly Ordinance." Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Odell and Kicklighter were not present when this vote was taken.]

STATE OF GEORGIA     )  
  )  
COUNTY OF CHATHAM    )

LICENSING AND REGULATION ORDINANCE OF CHATHAM COUNTY

AN AMENDMENT TO THE LICENSING AND REGULATION ORDINANCE OF CHATHAM COUNTY

BE IT ORDAINED by the Chatham County Board of Commissioners as follows:

Chapter 18, "Licensing and Regulation" of the Chatham County Code is amended to add Article IV, "Parade and Public Assembly Ordinance," which shall be read as follows:

"ARTICLE IV

Parade and Public Assembly Ordinance

§18-401     Definitions.

- 1. "Chief of Police" means the Chief of the Savannah/Chatham Metropolitan Police Department.
- 2. "County" means the unincorporated area of Chatham County, Georgia.

3. "Parade" means any march, demonstration, procession or motorcade consisting of persons, animals, or vehicles or combination thereof upon the streets, parks or other public grounds within the County with an intent of attracting public attention that interferes with the normal flow or regulation of traffic upon the streets, parks or other public grounds.

4. "Person" means any person, firm, partnership, corporation, company or organization of any kind.

5. "Public assembly" means any meeting, demonstration, picket line, rally or gathering for a common purpose that interferes with the normal flow or regulation of pedestrian or vehicular traffic or occupies any public area or facilities open to the general public.

6. "Sidewalk" means any area or way set aside or open to the general public for purposes of pedestrian traffic, whether or not it is paved.

7. "Street" means any place or way set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right-of-way, or median strip.

8. "Hearing Officer" means an impartial person with sufficient legal training to review application of this ordinance who has been appointed by the Chatham County Board of Commissioners upon the filing of an appeal of a permit denial.

9. "County Manager" means the County Manager of Chatham County, Georgia.

§18-402 Permit Required.

It shall be unlawful to engage or conduct any parade or public assembly without first receiving a permit from the County Manager upon recommendation by the Chief of Police after application made according to the requirements set out hereinafter.

§18-403 Exceptions.

This ordinance shall not apply to the following:

1. Funeral procession;
2. Students going to and from school classes or participating in educational activities, provided that such conduct is under the immediate direction and supervision of the proper school authorities;
3. Chatham County sponsored events or events permitted by Public Works and Park Services;
4. Casual park use that does not normally attract a crowd of onlookers; and,
5. A governmental agency acting within the scope of its functions.

§18-404 Application.

The person or persons associated in fact, whether or not a legally recognized entity, who wish to conduct a parade or public assembly shall apply to the County Manager for a permit. Such application shall at a minimum include:

1. The name and address of the applicant. If the applicant is an association of persons in fact or in law, the application shall contain a description of the entity; the name of said entity, if named; the registered or recognized address of the entity; the name of the person making the application on behalf of the entity; such person's relationship to said entity; and some demonstration or recitation of the authority of the person making the application to act on behalf of the entity.
2. A plan that must include the following information about the parade or public assembly:
  - a. The anticipated number of persons participating;
  - b. The date or dates;
  - c. The hours of each day the parade or public assembly will be conducted;
  - d. The exact location, or, if the parade or public assembly is processional or mobile, the route;

- e. Whether sound amplification equipment will be employed and, if so, the hours it will be employed;
  - f. Whether artificial lighting will be employed;
  - g. Whether temporary static structures will be employed, and if so, a complete description (including measurements) of the structure;
  - h. Whether vehicles will be employed, and if so, a description of each vehicle that will be used and how it will be used;
  - i. A description of the anticipated need for safety, police, medical, sanitation, and other required personnel and equipment, with the anticipated needed numbers and posting by location and time of personnel needed;
  - j. A description of provisions necessary to the safety and welfare of the participants in the event and members of the public in the area where the event will be conducted and routes of access thereto and therefrom;
  - k. A description of measures that will be taken to ensure public health and sanitation;
  - l. Whether the event will require that the public spaces or facilities to be used or burdened, or the routes and means of access thereto and therefrom, be temporarily diverted from their dedicated or customary uses, or the public or private users thereof by diverted or excluded from, or limited in their use or enjoyment of, or their access to or through, said spaces or facilities, before, during or after the event.
3. A disclosure as to whether the applicant or entity for whom the application is being made has in the past conducted or participated in an event of a substantially similar nature to that which is the subject of the application, and, if so, where and when such prior event(s) took place, and whether as a result of such event(s) the applicant or entity became subject, whether or not then operating under the same name, as plaintiff or defendant, of any legal action, civil, criminal or administrative.
  4. A disclosure as to whether the applicant or entity for whom the application is made has defaulted upon or is in arrears as to any judgment, civil, criminal, or administrative rendered against applicant or entity, whether or not then operating under the same name, as a result of participation in any prior event(s) of a substantially similar nature to that which is the subject of the instant application, and if so, a description of said judgment or order and an explanation for non-compliance.
  5. An indemnification and hold harmless agreement in favor of Chatham County, Georgia, its elected officials, officers, agents, and employees, in a form satisfactory to the County Attorney.
  6. Where an event conducted on, over, or upon, or burdening public properties, or employing the facilities thereon, which is also to substantially involve or take place partly or wholly upon private property with the consent of the owner(s) thereof, such owner(s) or their authorized representatives must join as an applicant for any permit for such event.

§18-405 Review by the County Manager.

1. Within ten working days of receipt of an application, the County Manager shall review the application in light of all contents and goals, intentions, and presumptions as set out in this ordinance, and render a decision after receiving a recommendation from the Chief of Police and communicate same to Applicant, either permitting the event as planned or denying a permit for event. If the permit is denied, the County Manager shall provide the applicant in writing a statement of the reasons therefor.
2. Nothing in this process shall prevent the County Manager, at his/her sole option within the ten day period for approval or denial, to confer with Applicant with respect to modifications of Applicant's plan for the event, and amend the application to reflect such modifications if agreed to by Applicant. However, Applicant may neither supplement nor amend its application within the ten day period except at the invitation of the County Manager. Any attempt to do so *sua sponte* shall be deemed a separate and new application.
3. The County Manager may deny the application for permit upon any of the following reasons or combination of reasons:
  - a. The application does not contain all required information, or that information set out is so incomplete, vague, or ambiguous as to prevent full and proper review;

- b. The application contains material omissions, falsehoods, or misrepresentations;
- c. The applicant or entity represented by applicant is incompetent to contract, sue, or be sued;
- d. The person applying lacks authority to present the entity for which the application is made;
- e. The applicant or entity represented by applicant has on prior occasions damaged public property or has not paid in full for such damages, or is in arrears as to any judgment civil, criminal, or administrative rendered against the applicant or entity, or is in violation of any injunction or restraining order entered against the applicant or entity, whether under the same name(s) or another;
- f. The applicant or entity has on prior occasions violated permitting ordinances in connection with events of a substantially similar nature;
- g. The plan of the event as proposed would present an unreasonable danger to the health or safety of participants in the event or other members of the public (though not through the agency of any predicted reaction by onlookers or members of the public);
- h. The plan of the event as proposed would unduly restrict and/or congest (vehicular or pedestrian) on any of the public roads, right of ways, sidewalks, or waterways in the immediate vicinity of such event;
- i. The plan of the event as proposed would constitute an unreasonable disturbance of the peace, or would unreasonably burden lawful commerce in the area at the time of the proposed event, or would unreasonably intrude upon the privacy or property of citizens in the area of the proposed event;
- j. The plan of the event as proposed includes activities which are prohibited by laws of the United States, the State of Georgia, or ordinances of Chatham County, the City of Savannah or activities which constitute nuisance or tortious conduct with respect to public or private property or persons.

§18-406 Appeal of Permit Denial.

1. Upon receipt of any decision by the County Manager to deny an application in whole or in part, the applicant may within five calendar days file an appeal of said denial with the County Manager which appeal shall be in writing and be sent to the County Manager by certified mail. Upon receipt of such appeal, the County Manager shall immediately forward the appeal to a Hearing Officer appointed by the Chatham County Board of Commissioners. The Hearing Officer shall be the Recorder's Court Judge on duty as of the date that the appeal is forwarded by the County Manager.
2. The Hearing Officer shall set a hearing date not more than seven calendar days after notice of appeal by the County Manager. The Hearing Officer shall cause notice of the hearing to be served upon the applicant by certified U.S. mail. Such notice shall include the hearing date and time.
3. At the hearing, all parties shall be provided a fair and impartial hearing and shall be allowed to produce any and all evidence concerning the denial of the permit.
4. Within seven calendar days after conclusion of the hearing, the Hearing Officer shall make a written decision on the appeal, which shall affirm, alter or reverse the denial of the application by the County Manager. The notice of the decision shall be sent to all parties by certified U.S. mail and shall set forth the reasons for the decision.
5. The decision of the Hearing Officer shall be binding on all parties, subject to the right of appeal as provided by O.C.G.A. 5-4-1, et seq.

§18-407 Intent.

It is the specific intent of the County in enacting this ordinance to regulate only the time, place and manner of events and not to regulate the content or message of any speech or expressive conduct.

§18-408 Revocation.

Notwithstanding the grant of any permit as provided herein, the County Manager shall have the authority to terminate a parade or public assembly at any time, or prevent its initiation, should traffic, weather, or other conditions develop which present an imminent and undue danger to those participating in the event pursuant to said permit, to the public at large, or should any consideration or combination of considerations enumerated herein as a ground for denial of a permit arise or first become apparent to law enforcement authorities after the grant of a permit. If in preparation of or after the start of a parade or public assembly for which a permit has been issued, participants in said event violate the terms of the permit or deviate in material fashion from the plan submitted in application for permit, the County Manager shall have the authority to terminate the event.

§18-409 Effective Date.

This ordinance will become effective upon adoption. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

§18-410 Severability.

Should any section, provision, or clause of any part of this ordinance be declared invalid or unconstitutional, or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances be declared invalid or unconstitutional, such invalidity shall not be construed to affect portions of this ordinance not so held to be invalid, or the application of this ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the County that this ordinance would have been adopted had any such invalid portion not been included herein."

ADOPTED AND APPROVED, this \_\_\_ day of \_\_\_\_\_, 2004.

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

\_\_\_\_\_  
Sybil Tillman, Clerk  
Chatham County Commission

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**3. AMENDMENT TO CHAPTER 16, ARTICLE I, SECTIONS 16-132, 16-134 AND 16-142, OF THE BUSINESS REGULATIONS AND LICENSING ORDINANCE OF CHATHAM COUNTY, TO AMEND "SPECIAL EVENT" PROVISIONS.**

Chairman Hair said, I'll entertain a motion to approve. Commissioner Murray 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: Commissioners Rivers, Odell and Kicklighter were not present when this vote was taken.]

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve an amendment to Chapter 16, Article 1, Sections 16-132, 16-134 and 16-142, of the Business Regulations and Licensing Ordinance of Chatham County, to amend "Special Event" provisions. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Odell and Kicklighter were not present when this vote was taken.]

STATE OF GEORGIA    )  
                                  )  
COUNTY OF CHATHAM )

**BUSINESS REGULATIONS AND LICENSING ORDINANCE OF CHATHAM COUNTY**

**AN AMENDMENT TO CHAPTER 16, ARTICLE I, SECTIONS 16-132, 16-134 AND 16-142 OF THE BUSINESS REGULATIONS AND LICENSING ORDINANCE OF CHATHAM COUNTY**

BE IT ORDAINED by the Chatham County Board of Commissioners as follows:

Section 16-132, paragraph 2, subparagraph (35), "Special Event," is deleted and a new subparagraph (35), "Special Event," is adopted and shall read as follows:

"33. Special Event. Activities conducted on County owned or privately owned property, including but not limited to parades, festivals, carnivals, fairs, concerts and rallies which may encompass one-day events as well as events spanning several days. Special events must be approved by the following persons to ensure compliance with the requirements contained herein and the Parade and Public Assembly Ordinance, if applicable: Zoning Administrator, Fire Marshal, Health Department, Police Department and the Director of Building Safety and Regulatory Services or his/her designee. The Director of Building Safety and Regulatory Services or his/her designee shall be responsible for reviewing compliance with the Parade and Public Assembly Ordinance."

Section 16-134 (4), "Alcoholic Beverage Permit for Special Event," is amended by adding paragraph 4 which shall read as follows:

"4. Compliance with the Parade and Public Assembly Ordinance, as determined by the Director of Building Safety and Regulatory Services or his/her designee."

Section 16-142, "Severability and Conflict," is deleted and a new Section 16-142 is adopted and shall read as follows:

"§16-142 Severability.

Should any section, provision, or clause of any part of this ordinance be declared invalid or unconstitutional, or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances be declared invalid or unconstitutional, such invalidity shall not be construed to affect portions of this ordinance not so held to be invalid, or the application of this ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the County that this ordinance would have been adopted had any such invalid portion not been included herein."

ADOPTED AND APPROVED, this \_\_\_ day of \_\_\_\_\_, 2004.

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Dr. Billy B. Hair, Chairman  
Chatham County Commission

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Sybil Tillman, Clerk  
Chatham County Commission

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**4. AMENDMENT TO CHAPTER 23, ARTICLE I, OF THE PARKS AND RECREATIONAL FACILITIES ORDINANCE OF CHATHAM COUNTY, TO AMEND PARK HOURS PROVISION AND PROHIBIT CAMPING ON PUBLIC PROPERTY.**

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

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve an amendment to Chapter 23, Article I, of the Parks and Recreational Facilities Ordinance of Chatham County, to amend the park hours provision and prohibit camping on public property. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Odell were not present when this vote was taken.]

STATE OF GEORGIA     )  
                                  )  
COUNTY OF CHATHAM    )

PARKS AND RECREATIONAL FACILITIES ORDINANCE OF CHATHAM COUNTY

AN AMENDMENT TO CHAPTER 23, ARTICLE I, OF THE PARKS AND RECREATIONAL FACILITIES ORDINANCE OF CHATHAM COUNTY

BE IT ORDAINED by the Chatham County Board of Commissioners as follows:

Section 23-101, "Park Hours," paragraph 1, is deleted and a new paragraph 1 is adopted and shall read as follows:

- "1. The following enumerated neighborhood parks, grounds, and recreational facilities owned and/or operated under the jurisdiction of Chatham County and being located in the unincorporated area of Chatham County will open for use at 8:00 a.m. each morning and will close to use at dark each evening:
- a. Gray's Subdivision Neighborhood Park, located at Tara Ave and Jean Vermillion Road and containing approximately 3.5 acres.
  - b. Isle of Hope Neighborhood Park, located at Parkersburg Road and Rosenbrook Avenue and containing approximately 2 acres.
  - c. Sandfly Neighborhood Park, located at Billings Road and containing approximately 2.5 acres.
  - d. Pinpoint Neighborhood Park, located at Lehigh Avenue and Ferguson Avenue and containing approximately 2 acres.
  - e. Montgomery Community Center Park also known as Robert J. Travis Park, located at Shipyard Road and Whitfield Avenue and containing approximately 2 acres.
  - f. Rio Vista Neighborhood Park, located at Islands Road and Cross Road and containing approximately 3 acres.
  - g. Ogeechee Farms Neighborhood Park, located off Yamassee Road and containing approximately 3 acres.
  - h. Burroughs Neighborhood Park, located at Wild Heron or Wild Horn Road and Chevis Road and containing approximately 2 acres.
  - i. Wilmington Island Neighborhood Park located at Lang Street and Wilmington Island Road and containing approximately 2.5 acres.
  - j. Whitemarsh Neighborhood Park, located at Penrose and Riverside Drive and containing approximately 2 acres.
  - k. Westlake Neighborhood park, located at Westlake Avenue and containing approximately 2 acres.
12. Lamarville Neighborhood park, located at A.C.L. Boulevard and Liberty Parkway and containing approximately 5 acres."

Section 23-101, "Park Hours," paragraph 2, is deleted and a new paragraph 2 is adopted and shall read as follows:

- "2. It shall be unlawful for any person or persons to be present, stand around or assemble in any County owned or operated parks, grounds or recreational facilities between the hours of 10:00 p.m. and 8:00 a.m. in the fall and winter and 11:00 p.m. and 8:00 a.m. in the spring and summer with the exception of Neighborhood Parks as identified in Section 23-101, paragraph 1, which shall be open from 8:00 a.m. until dark each day. Compliance with all posted rules and regulations is required. The Director of Public Works and Park Services or his/her designee shall be responsible for reviewing compliance with the Parade and Public Assembly Ordinance as applicable."

Section 23-101, "Park Hours," is amended by adding paragraph 3 which shall read as follows:

- "3. It shall be unlawful for any person or persons to camp in any County owned or operated parks, grounds or recreational facilities, except in conjunction with a County permitted event as may be specifically authorized by the Director of Public Works and Park Services or his/her designee. A permit is required as provided by Public Works and Park Services. Compliance with all posted rules and regulations is required.

For the purposes of this ordinance, "camping" is defined as the sleeping or otherwise being in a temporary shelter out-of-doors; sleeping out-of-doors; or cooking over an open flame or fire out-of-doors. A person in violation of this ordinance must do more than fall asleep. One or more of the following factors should exist in determining whether a person is in violation of this ordinance: (a) the person is inside a tent or sleeping bag, or is asleep atop and/or covered by materials, or inside some form of temporary shelter; (b) the person has built a campfire; (c) the person is asleep and when awakened volunteers that he/she has no other place to live. Such person should be advised of alternative available shelter."

Chapter 23 is amended by adding Section 23-105 which shall read as follows:

"§23-105 Severability.

Should any section, provision, or clause of any part of this ordinance be declared invalid or unconstitutional, or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances be declared invalid or unconstitutional, such invalidity shall not be construed to affect portions of this ordinance not so held to be invalid, or the application of this ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the County that this ordinance would have been adopted had any such invalid portion not been included herein."

ADOPTED AND APPROVED, this \_\_\_\_ day of \_\_\_\_\_, 2004.

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Dr. Billy B. Hair, Chairman  
Chatham County Commission

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Sybil Tillman, Clerk  
Chatham County Commission

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**5. AMENDMENT TO CHAPTER 11, ARTICLE I, OF THE GENERAL OFFENSES ORDINANCE OF CHATHAM COUNTY, TO PROHIBIT LODGING IN VEHICLES IN PUBLIC AREAS.**

Chairman Hair said, I'll entertain a motion. Commissioner Murray said, move for approval. Chairman Hair asked, second? Commissioner Thomas said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers and Odell were not present when this vote was taken.]

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve an amendment to Chapter 11, Article I, of the General Offenses Ordinance of Chatham County, to prohibit lodging in vehicles in public areas. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Odell were not present when this vote was taken.]



**3. INFORMATION REGARDING THE SAFE KIDS OF SAVANNAH COALITION INSPECTION RESULTS OF ALL PLAYGROUND EQUIPMENT AT VARIOUS COMMUNITY PARKS WITHIN THE UNINCORPORATED AREA.**

**ACTION OF THE BOARD:**

A written report was received as information.

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**ADJOURNMENT**

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 10:33 a.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