

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, AUGUST 27, 2004, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.

I. CALL TO ORDER

Chairman Billy Hair called the meeting to order at 9:17 a.m., Friday, August 27, 2004.

=====

II. INVOCATION

Commissioner McMasters gave the invocation.

=====

III. PLEDGE OF ALLEGIANCE

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

=====

IV. ROLL CALL

The Clerk called the roll.

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

ABSENT: David M. Gellatly, District Six

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

=====

V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. PRESENTATION BY EIGHTH AIR FORCE HERITAGE MUSEUM (C. J. ROBERTS, DIRECTOR).

Mr. C. J. Roberts said, thank you, first of all, for placing this on the agenda. I bring with me three colleagues: Mr. Scott Martins, who's Vice Chairman of our museum, Dr. Walt Brown, Vice Chairman, Gen. Lew Lyle, who's the founder of our museum, and let me say that Gen. Shuler had hoped to attend. He had surgery last week, so he's kind of sidelined. He's doing fine, but not quite up and around yet. We're here to say thank you. We're here to say thank you for what this Commission has done for the museum over the years and we've prepared a resolution, and I'm going to ask Lew [Lyle] to read the resolution and he has some remarks to make as well. We're going to present a copy of the resolution to you all and we're going to hang a copy in the museum as well so everyone knows our deep sense of appreciation for this Commission and for the citizens of Chatham County for making this museum possible. So thank you.

Gen. Lewis Lyle said, I want to add my thanks to the Commission and the members for sticking by us for many years now. I would like to tell you a little bit about how we wound up in Savannah, Georgia. I started this effort in 1985 as a member of the Eighth Air Force Historical Society and I spent a long time, to '89, when we got our ducks in a row after having travel several hundred thousand miles around the country looking for the proper place and when we got to Savannah there were so many great reasons why this would be the place, it would begin to score, and I might say that I didn't go anyplace looking for the home for the Eighth that they didn't want us, but the support wasn't there and a lot of things were just not suitable for our operation. So we —, after we got to Savannah we found all the things that we needed and certainly had the history of being here at Savannah that we were activated here right after the war was declared. The big problem, of course, in many places was getting the members of the community to support the operation, the building and the follow-on operation and with the friendly people to work with, and of course we got to Savannah and then I was told that you, you know, you can't do it here, you're not going to get the support. That was changed dramatically when the Chatham County Commission got involved in it and, as a result of their involvement, and the people that were then elected to serve on this Commission, and they did a tremendous job with the community as well as having a group of friends here already who were part of the Eighth Air Force. So with the help of getting the land and then eventually getting the money that was required for the —, to build a first-class museum, not a rinky-dink place, and it was of course funded by the Commission and we can't tell you how important that was and how thankful we are to you for your support. And I have this before me here, the resolution of thanks to the Chatham County Commission, which I'd like to read to you.

Gen. Lyle then read the following proclamation into the record:

RESOLUTION OF THANKS TO THE CHATHAM COUNTY COMMISSION

WHEREAS, in response to the growing threats of Nazi Germany and Imperial Japan, the United States Eighth Air Force was formed in Savannah on 28 January 1942. This unit served in the European Theater of Operations flying dangerous and difficult bombing missions against the Axis Powers. The Eighth Air Force was never turned back from a mission by the enemy, thus earning the sobriquet "The Mighty Eighth;" and

WHEREAS, Forty-five years following the war, a group of Eighth Air Force veterans embarked on a mission to build a museum that would honor their brothers-in-arms whose sacrifice helped save the free world; and

WHEREAS, the Chatham County Commission (Georgia) wished to recognize the Eighth Air Force's genesis in Savannah, honor the sacrifices made by those who served, and provide a resource where future generations could learn the price of freedom; and

WHEREAS, with foresight, the Chatham County Commission voted unanimously to provide twelve acres of land upon which the museum could be built and secured the necessary funding of the museum through the sale of revenue bonds; and

WHEREAS, the Commission's unwavering generous support since its opening in 1996, has enabled nearly one million visitors to explore American history and the role that the men and women of the Eighth Air Force have played in shaping that history; and

WHEREAS, the Chatham County Commission further ensured the museum's future by voting to retire the museum's bond debt through the use of fund collected from the Special Purpose Local Option Sales Tax; and

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Mighty Eighth Air Force Museum assembled on this day 27 August, 2004, does hereby recognize the outstanding support of the Chatham County Commission and the residents of Chatham County in helping to build and maintain a museum that is both a history of the Eighth Air Force and a tribute to the American Spirit.

Maj. Gen. William P. Bland, Jr., USAF (Ret.)
Chairman of the Board of Trustees

[SEAL]

C. J. Roberts, President and CEO

Gen. Lyle said, thank you. Chairman Hair said, thank you, General.

Mr. Roberts said, I'm not sure how to get this from here to there so —. Thank you very much and I hope you all are proud of the museum and we look forward to working with you in the future and make you even prouder. Chairman Hair said, thank. Mr. Roberts said, keep up the great work you folks are doing up there. Commissioner Thomas said, thank you. Chairman Hair said, thank you very much, gentlemen, for being here.

County Manager Abolt said, Mr. Chairman, you know my personal affection for Gen. Lyle and I would like to do something special with the permission of her father, but Hannah Kicklighter is in the audience and Commissioner Kicklighter will introduce her, but for the purpose of history and touching the life of yet another person, possibly Commissioner Kicklighter would like to have Gen. Lyle shake his daughter's hand, and the reason I say that is in history this man is very special. He flew 75 missions over Fortress Europe when the maximum expected was 25 and then he was recognized by Prime Minister Winston Churchill. So, if Commissioner Kicklighter feels it appropriate, possibly a hand shake now by her [sic] daughter and in years to go on she'll remember she shook hands with Gen. Lyle. Commissioner Thomas said, all right.

[NOTE: Gen. Lyle then shook hands with Miss Hannah Kicklighter.]

Commissioner Kicklighter said, I need a hand shake too. I appreciate everything that you did. You're very valuable to the entire County and really a gem out on the Westside. We really do appreciate everything. Thank you.

Chairman Hair said, thank you. Gen. Lyle said, you made it possible for us being here.

=====

VI. CHAIRMAN'S ITEMS

1. WILMINGTON PLANTATION PIER AND DOCK—REQUESTING CORPS OF ENGINEERS TO HOLD PUBLIC HEARING.

Chairman Hair said, I request the support from my fellow Commissioners to do two things this morning. We can do it in one motion. One would be to pass a resolution urging the Corps of Engineers to hold a public hearing even though the comment period has expired and, secondly, direct staff not to issue permits until the zoning issues are dealt with. There are two zoning issues. One is it was originally permitted for 36,000 square feet and the docks alone are over 800,000 square feet, and the second issue, it was permitted for no public access and the Corps permit asks for public access. So I would ask a motion to —.

Commissioner Murray said, so moved. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair asked, any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Gellatly was not present.] Chairman Hair said, the motion passes. Thank you.

ACTION OF THE BOARD:

Commissioner Murray moved that the Board adopt a resolution urging the Corps of Engineers to hold a public hearing regarding the permitting of Wilmington Plantation Pier and Dock and direct staff not to issue permits until the zoning issues are dealt with: (1) the area to be permitted and (2) that there be no public access to the marina in accordance the current zoning of the property. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

=====

VII. COMMISSIONERS' ITEMS

1. UNSOLVED MURDERS AND VIOLENT CRIMES. NOTE THAT CHIEF FLYNN AND CRIMESTOPPERS DIRECTOR EMERY BISHOP WILL BE PRESENT (COMMISSIONER KICKLIGHTER).

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. I've invited Chief Lynn, Capt. Merriman, Spencer Lawton, our District Attorney, Demery Bishop, the head of Crimestoppers, and Sheriff Al St. Lawrence here today. I believe that we had a unique opportunity to create a crime-fighting tool here in the Coastal Empire that can lead the way for other areas also. We are very fortunate that we have two government channels. We have Channel 16, the Chatham County government channel, as well as Channel 8, which is the Savannah government channel, and unfortunately we have unsolved murders and violent crimes throughout the Coastal Empire. We have several national television shows with proven records of assisting the police in solving murders and violent crimes. We even have shows that actually help the police apprehend fugitives. The public has shown an interest in solving crimes on a national level so I believe that the citizens of the Coastal Empire would be very interested in solving local crimes. I believe that we should spearhead an effort to create a local television show called, "Coastal Empire's Unsolved Murders and Violent Crimes." Cold cases can be solved. Criminals most of the time tend to be, sadly enough, proud of their violent acts and sooner or later they usually speak, and a local show like this will give the cold cases the exposure needed to help solve these crimes. What will it take to get this started?

It would take in my opinion basically a conceptual approval from this Commission and it would take the Commission giving Pete Nichols, our Cable Coordinator, the task of coordinating the effort. It would take a combined effort with the City of Savannah to air the show at the same time on both government channels and, most importantly, it would take a major, major public/private partnership. We need the business community to sponsor each show, as well as we'll need individuals to donate. I believe it can be done much like Georgia Public Television does. I believe that we have the businesses here that are very community-oriented and they want to save a place and I believe they'll step up to the plate to help out. They do many wonderful things and I believe that they'll go forward with this too. We would need a partnership with SCAD, Savannah State or Armstrong to video and produce the show. I believe, if done properly, I believe that we could probably work it out where the kids actually receive some type of college credits for their work. We need a —, we need a commitment from our Chief to provide unsolved crimes to the show, to the show's producers. We would need a commitment from our District Attorney to work with the producer to assist in their efforts. I believe that if we promote and do this properly I believe we can pull some of the families of murder victims out of the hell they are living in. We want to be able to bring their —, we won't be able to bring their loved ones back, but we can help bring their family member's killers to justice. We will be assisting the police in their efforts to remove violent criminals off of our streets. They will save lives in the future by getting the offenders off of our streets. You know, if we get these violent criminals off, it may save —, it will save other people's lives in the future. With the help of the business community we could air commercials on the network channels advertising the show. We possibly could raise enough money to even air the show on your regular network channels because that strongly in our community —, our business community. Neighboring counties, I believe they could utilize this also if they're within our cable viewing area providing that the businesses within their county jurisdiction or either the county itself pays the expenses to produce the segment.

Commissioner Kicklighter said, at this time I'm going to introduce some people and then when they finish I'll ask permission to make a motion and then open it up for discussion. So at this time I would like to ask Spencer Lawton and/or Demery Bishop if they would like to come up and speak. And I don't know how I skipped that, but we have Demery Bishop there and it's in my list, but I get to rambling. I think Crimestoppers would definitely play a major role in this and I would hope that they would play a role where people can actually call in and without being identified because that's a major thing is people being actually scared, being scared to call in and help and with Crimestoppers playing a vital role, they would know, Mr. Bishop running this, that they could call in and wouldn't be identified. Our District Attorney, Mr. Spencer Lawton.

Mr. Spencer Lawton said, thank you very much, Mr. Kicklighter and ladies and gentlemen. As District Attorney I can tell you, having heard this presentation, having been already aware of the planning and thought that Commissioner Kicklighter's put into it, I just want to say that in —, not just in —, I certainly approve of it and enthusiastically support it in concept. Not merely that, however, but we already have some experience in exactly this same undertaking and it has worked extremely well. We're in solid footing to make a very strong beginning in the undertaking that the Commissioner has proposed. Under Demery Bishop's leadership and with Pete Nichols' very, very fine production assistance, Crimestoppers is already instrumental in performing this function and has brought to light a number of cold cases over the course of recent history to the betterment of the community and to the advantage of my office and its functions. So this is an opportunity, as I see it, to build upon relationships that already exist between the County and Mr. Nichols and you ladies and gentlemen, in particular Commissioner Kicklighter, and between Mr. Bishop and Crimestoppers on the one hand and my office on the other. We already have a network of relationships and responsibilities here that I think will provide a firm foundation upon which to begin the undertaking that Commissioner Kicklighter has outlined and I encourage and urge your support for his proposal. Thank you very much.

Chairman Hair said, thank you, Mr. Lawton.

Commissioner Kicklighter said, thank you, Mr. Lawton. I'd like to ask Mr. Bishop if he would like to speak.

Mr. Demery Bishop said, this is a rare opportunity. I thank you very much. It is music to my ears obviously to hear this type of proposal because it underscores the importance that we and the —, and Crimestoppers, myself and Chief Flynn and both the City and the County's Manager have recognized for some time. And the reason I say recognized, we began this program very similar to what you've outlined, we started deliberations, negotiations on this last August and we have now been in process with this type of program with WJCL and FOX in which we do a cold case program once a month highlighting various old, unsolved homicides, missing person cases, significant cases that we feel needs to be brought to the attention of the public in the immediate area. So to continue to do this, we are now in the process of getting all of those programs taped in the appropriate format so that Pete [Nichols] and the City channel can air those. We are working enthusiastically to continue to expand on them, not only for Savannah but because Crimestoppers touches the area surrounding Savannah to include those counties just across into South Carolina, as well as Effingham County and Liberty and Wayne and Glynn as well. We have extended that to their investigative resources and agencies as well. So this is tremendous. We have been —, we have actually highlighted about 10 cases now and we have gotten leads generated from those cold cases and our format is that we present one case per month and that's generally associated with the evening news and on a quarterly basis then the last half hour of the evening news on FOX we actually devote 30 minutes to a recap of the previous quarter's cases. In other words, three cases that we would have highlighted, and we have an opportunity [inaudible] —, call in at that time to receive tips and to discuss the cases and the importance of Crimestoppers and its cooperation and corroboration and collaboration with both Chief Flynn, Al St. Lawrence and the other investigative entities here in Chatham County and surrounding. So I —, as you know, you support Crimestoppers and you continue to support Crimestoppers each year, so this is —, this is great. This is an opportunity to, I suppose, enhance what we're doing and I thank you very much for recognizing the need and I truly hope that the Commissioners will continue to support that in that manner.

Chairman Hair said, thank you, Mr. Bishop.

Commissioner Kicklighter said, yeah, I believe that —, and I absolutely didn't have any idea that you were already doing that with Channel 22. I think that's wonderful, but I believe by creating a individual television show with the name something similar to Coastal Empire's Unsolved Murders and Violent Crimes would catch the attention, just like Unsolved Mysteries did years ago and it would just be another avenue to help catch these criminals. I've asked the Chief, Chief Flynn if you would come forward please. I asked the Chief and Capt. Merriman if they would bring some cold cases forward for some exposure today where I could give you an idea of, you know, some of things that we need to solve.

Chief Dan Flynn said, well, actually I don't have any cases with us. Capt. Merriman is tied up at the moment and couldn't make it this morning. There are some issues that we have to deal with very carefully with cold cases because there is no statute of limitation on the crime of homicide, so technically even a 25-year-old case is a —, is an open and pending investigation. So that's why with the initiative that we've already begun for Crimestoppers we have to very carefully work with the District Attorney and work our way around issues so that if ultimately we are able to solve a case, and solve the cases and make arrests, which we've done with some very old cases, that we don't compromise the prosecution. So we really can't lay out pending cases. We really have to go through a very painstaking, careful process even when we select the cases that Crimestoppers profiles to make sure that we don't compromise a potential prosecution.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell asked, do we have a cold case investigation team? Chief Flynn said, not that does that exclusively. We have a process in place that —, as we go along any time they get a break in action, which opens more frequent, we do that, but we —. Commissioner Odell said, oh, absolutely, [Inaudible] it somewhat passes, that's a break, but my question is, is there an active investigation as to murders that are committed in the City, and what your answer is that there is not, but if it's part of something else, they get a confession, then it's done. Chief Flynn said, no, it's not that. We don't file cases away. What I said is we don't have investigators that do that exclusively. However, all cases are set up —, they are set up for periodic review. We periodically we review —, first of all, we won't even slow down on a homicide investigation until we have our supervisors go through, we have exhausted every viable lead. When we get to the point where we have exhausted every reasonable and viable lead, then the case goes into a status where it is periodically reviewed. Now once in a while we periodically get calls from people, new information will come up on an old case. In fact, you may remember a case about, I guess it's about a year ago now, we had a series of murders of females out in the area of Ogeechee Road, out in that area, and there were several and some of them were quite old and we had a break. We had a serious assault case and the investigation of that led to some information on the other cases and we closed several cases. You may recall we arrested a father and son for some very old cases. That's the way that works. Commissioner Odell said, yeah. My only comment and my point is that doing the catch as catch can method to me seems to me the most ineffective way to do it. Other large departments have a cold case investigation team. If your investigator who's working the case is unable to solve the case, perhaps fresh new eyes might be able to solve it. There was this young man who when he was 16 came to work in my office. He worked there during the Summer, and he came from a family which he was told that he'd never be able to go to law school, that he'd never be able to go to law school. He goes to undergraduate school and he completes law school and he's killed in his home. His name was Howard Alls and we have —, having a cold case investigation that is based upon catch as catch can to me, as a political officer, is unacceptable. Before you explain, what I'd like to do is you, as the Metropolitan Chief, I think we can do better. I think that if you commit a murder, if it takes 100 years, we should never stop pursuing it. Chief Flynn said, I agree. Commissioner Odell said, I'm concerned, and I've shared this concern with our Mayor, that the biggest reason our little kids need to go to school if you're an educated official, they some how figure out how to solve your murder, but regardless of race, if you're just a poor working-class person, you might get into that cold case catch as catch can kind of investigation, and that to me is not only offensive, it's a better way of doing things. I have long said that feel good of crime prevention where you have these wonderful things like National Night Out makes everyone feel good, but it does nothing. It doesn't reduce the crime level because the people who commit the crime are not going to be out there roasting hotdogs and throwing a ball and some police officer is sitting on a bench. That's not the problem. The problem is that we have to have an investigative team that is a little bit sharper than where we are now, and we will never solve the crime problem in this City until we make two major steps. One is we have a large number of people who were unparented and so they produce children who are unparented and they are sociopaths. Until we as a community address that issue, until we have a police department that says that one out of a hundred, I don't agree with meatloaf. Two out of three ain't bad, the old Blues song, rock song, but if it's your son that was killed and you as an attorney witnessed the major level of indifference, you kind of expect more than we get 'em if we get a tip. That's just not good enough.

Chief Flynn said, okay. Well, two things. You mentioned Howard Alls' case and I agree with most of what you said, Commissioner. The Howard Alls case is one that I'm very familiar with and I'm familiar with it because I have looked at that case with fresh eyes. In fact, the District Attorney is here. He and I have sat down and met and walked through that case because it is important. It is a cold case, it is still pending and our investigation of it is still active. Commissioner Odell said, Chief, my comments were not for you. My comment was for the politician who on one side of their mouth seek to fight crime, but will never fund it. The things that need to be done cost money. We do not live in a free society. People who have the kinds of qualification that we need to bring in from the forensic to others cost money. Until we have that department, the criminals have an upper hand and that offends me and it offends you. This statement was not for you. I know your budget constraints. Chief Flynn said, if I may add to the discussion, you raise some, I think, a very important point. I don't know if you're aware that DNA evidence, when we collect DNA evidence at a scene now, we submit it to the State Crime Lab, the State Forensic Lab today, it takes us 14 months to get the results of that. The State is advising us because of cutbacks in the State budget that that 14 month time period is going to increase and it's going to take us longer to get them back. Commissioner Odell said, if you find a small amount of marijuana, I'm not even certain if they're testing it anymore. It's a crime. It should be punished, and my position as an attorney has been marijuana is an exact chemical. You cannot carry the burden of a case if you don't have a scientific test, and if you don't test it, what are we saying? We

will not enforce the law. But that is not your fault. That is the fault of the politicians who speak crime-fighting but don't support it in their budget.

Chief Flynn said, if I may, Mr. Chairman, one last comment. I'd like to end on a note. I know what I'm about to say is not consolation to any family grieving the loss that they've had in the past, but I can tell you that our Homicide Unit, the rate at which we solve homicides is year after year and is still much higher than the national average for police departments everywhere and we continue to —, plan to continue to work on that and there's also some very good work going on in terms of these cold cases with Crimestoppers. So there is room for hope here.

Chairman Hair said, Commissioner McMasters and then back to Commissioner Kicklighter.

Commissioner McMasters said, thank you, Mr. Chairman. Chief, welcome and I want to remind everybody that this Commission as well as our colleagues at the prior City Council showed the fortitude to merge the two police departments and we have more officers on the street because of that. We have greater visibility. We are addressing our crime issues in a very new way. I think that speaks volumes about political leadership, as well as the manifestation within the merged department. My statement —, my question is how many unsolved homicides do we actually have and, secondly, do you have any idea how that homicide number by population stands to comparable population and unsolved cases? Chief Flynn said, well, I don't have that number with me and since there's no statute of limitation for homicides, so there's no period in which we don't count it anymore. You could go back a hundred years with that number, so I don't have it with me. I could certainly —. Commissioner McMasters asked, do you know how many unsolved homicides we're working? Chief Flynn said, we're working —, in this year? I don't have the number with me. I would expect that number is probably about —, it's going to be slightly more than half right now. Commissioner McMasters asked, I'm sorry? Chief Flynn said, slightly more than half right now is about what the closure rate is. I don't have the exact number with me. Commissioner Odell asked, what is half? Commissioner McMasters said, yes. Chairman Hair said, half of the unsolved —, half of the ones that have been committed or unsolved is what he's saying. Commissioner McMasters asked, is that —, 50% are unsolved? Is that where we're —. Chief Flynn said, that's a very rough number. It may be —, it's got to be more or less in any given time. Commissioner McMasters asked, would it be possible to look at your total and look at cities of comparable size, or counties, the way it looks? Chief Flynn said, we do that all the time. That's the figure I was giving before, that we compared closure rates, you know, the rate in which they solve it, and year after year, and you'll get reports to this effect, that show our closure rates exceed the national average for relevant police departments every year, as it is this year. Commissioner McMasters said, okay. Thank you. Chief Flynn said, now we shouldn't stop there, it's not consolation —. Commissioner McMasters said, no, no. I'm just trying to understand —. Chief Flynn said, — but we do —. Commissioner McMasters said, — in context how Chatham/Savannah does with solving its homicides because I think that's the subject of discussion —. Chief Flynn said, sure. Commissioner McMasters said, — and the fact that we are meeting and exceeding national averages is, on one hand, just a benchmark of how we're doing, no consolation to the families and people affected by those tragedies. Chief Flynn said, I would point out some recent examples. I don't know if we want to belabor this and I may be letting the cat out of the bag on something here you will soon see we're getting ready to amend, Demery Bishop and the Crimestoppers program just this year think of the high profile homicides and all terrible tragedies in —, that we've had —, we have all solved them with Crimestoppers. Think about the Church's Fried Chicken case, a terrible tragedy. Think of the woman on —, in front of the Sav-a-Lot Store. It was solved with Crimestoppers. Church's Fried Chicken, solved with a Crimestoppers' tip. More recently was it a homicide or a high-profile case of a cab driver was shot, solved with Crimestopper tips, and there are many others. I'm sure Mr. Bishop can go through them. Yet we are making progress. You know, we're in the big scheme of things doing well and doing better all the time. Commissioner McMasters said, I know that we are and I know that the merged police department is going to allow us to even do better, and for that I'm grateful. Thank you.

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman. First of all, I'd like to commend Commissioner Kicklighter for bringing this idea forward. I think it has a lot of merit and we don't want to miss the point because the point here is to help, you know, to bring in more reinforcement as to what we are doing. I think the more people involved and the more people who are sincere about crime in our City and our State should make a, you know, significant difference, and I think it will by forming these additional partnerships and —, because no one entity, the police department cannot do it by themselves. You know, Crimestoppers is going to take all these entities that we are suggesting here along with the citizens of this great community to be a partner in stopping crime. It can be done. It's being done all over the country in many places. The one thing that we do not want to lose sight of, and I think Commissioner Odell stated it very succinctly —. Did I get it right? Anyway, you know what I mean. — The fact that we do not want to forget the unsolved things, you know, because some times we never hear any more about things that have happened, and this really makes it really bad on the part of families and so forth and so on and they feel that maybe we don't give enough time to certain things; and I know that you're working very hard, but I think what's being suggested here will be a help and that everybody, you know, just come together, put their heads together, we can do more for our City and our County. Chief Flynn said, thank you.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, Chief, with all due respect, I believe that you and maybe if one of my fellow Commissioners totally missed my point, I'm in no way shape or form insinuating that the Savannah Police Department and us elected officials aren't doing a good job fighting crime and capturing criminals. I think that we've done a great job. I think you all work hard. You do an awesome job. What I want to do here is simply provide an extra tool to help you apprehend major violent criminals in the area. You know, it's all great and I didn't want to bring up my own personal family because I don't want to sit up here as a politician exploiting the death of my brother to make myself look good so I struggle when to mention it and not, and I didn't want to today, but as a family member of a murder victim I don't care if you have a 99% murder solve rate,

you need to find the one that killed my family member. Chief Flynn said, yes. Commissioner Kicklighter said, and if there's something else out there that can help find that person, I watched my mother and father go through complete hell for six years, but thank God we somehow with friends' family and I guess fortunate enough to have —, make a decent living. My father was able to raise a \$16,000 reward and advertise it constantly in the newspapers and keep it out there in the eye of the media where eventually after six years there was enough evidence gathered to prosecute and convict the man. But unfortunately there are many people out there that can't raise the funds and pay to advertise, and we have a government channel here that, you know, with the business community, but what I'm saying is I understand now where the questions came from. It is no way, shape or form —, I think you're doing an excellent job as the Police Chief here. I want to —, this Commission to help provide another avenue here to move forward, and with that I'm going to make a motion to conceptually approve the creation of a television show that focuses on unsolved murders and violent crimes in the Coastal Empire. I'd also like to include in the motion to request Pete Nichols to coordinate the effort. Commissioner Thomas said, second.

Chairman Hair said, second. Commissioner McMasters said, second. Chairman Hair asked, any further discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Gellatly was not present.] Chairman Hair said, the motion passes. Thank you. Thank you, Chief. Thank you, Mr. Bishop. Thank you, Mr. Lawton.

ACTION OF THE BOARD:

Commissioner Kicklighter moved that the Board conceptually approve the creation of a television show that focuses on unsolved murders and violent crimes in the Coastal Empire and that Pete Nichols coordinate the effort. Commissioners McMasters and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

=====

2. DISTRICT ATTORNEY'S DETECTIVES SALARIES VERSUS PUBLIC DEFENDER'S DETECTIVES SALARIES (COMMISSIONER KICKLIGHTER). See attached memo from staff.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. This is just before us as an information item. It could possibly be a rumor, but I want the —, this kind of runs with the other one. I want the Commission to be aware that I heard, and I don't know if it's true, but we'll wait and see, that the Public Defender's detectives could possibly make 12,000 more dollars a year than the District Attorney's detectives due to some kind of State grants. I just want the Commission to be aware of that. If that comes through, we're going to in my opinion have to take some type of action to equal that pay. Hopefully that's not the case and, Russ [Abolt] —. County Manager Abolt said, it's not, sir. In the information coming from Mr. Kaigler you'll see based on his evaluation the positions in the Public Defender's office is tagged at just under \$31,000. A similar position in the District Attorney's office, as we understand it, is \$32,000. Commissioner Kicklighter said, but, Mr. Abolt, looking at that it said to start at no less than \$31,000.

Chairman Hair said, I think we should clarify that, Commissioner Kicklighter. Mr. Edwards, who heads up the new office, is here. Could you shed any light on that, Mr. Edwards, please?

Mr. Michael Edwards said, good morning. My name is Michael Edwards. I am the recently appointed Public Defender for the Eastern Judicial Circuit. If I can, Mr. Kicklighter, just address the questions you have raised. I think that the information that you're receiving is not —, is not necessarily flawed information, but it may be miscommunicated to you. The Public Defender's office will have an investigator —, Investigation Department, as the District Attorney's office does, which is one of the significant differences in the way we will be handling indigent defense into the future versus the way we've done it in the past, which is to request investigators on a case by case basis at the discretion of the judicial officers overseeing the case and where funds are available to do so. So in the effort to attempt to provide more opportunities for cases to be investigated quickly, resolved quickly or cases to be settled and handled through the court system more accurately and more effectively, more efficiently, and for a better outcome for everybody, including the community members, of course, there will be an investigators division of the Public Defender's office, and the question that I think you raised was about salaries. The starting salary for the Public Defender's investigators is \$30,828. If I understand the information that I have been given from Mr. Lawton, the District Attorney's investigators' salaries range begins somewhere in the neighborhood of \$32,000. So the starting range is actually somewhat lower than what the District Attorney's investigators are paid. The information that I think that you're receiving about these possibilities of increases and grants and what-not, let me be sure that you're aware that the statute that developed the Indigent Defense Act, is available to be reviewed and within the statute there are a lot of numbers, a lot of figures, a lot of salary information exists in there, and what is provided for in Official Code of Georgia 17-12-1, and if you look specifically at 17-12-28, the investigators' salaries were addressed and there is a range. You're indeed right that there is a range, but to my knowledge there are no particular grants or special grants or additional grants that are available. There is simply a salary range with a starting figure of \$30,828 that is intended to, as we go through this process and develop the system, it's intended to contemplate and take account for different levels of investigators who would receive differing levels of salary, just as the District Attorney's office investigators do. So, I have heard about the rumor that —, about which you speak and I can tell you to all of the knowledge that I have available to me at this point from the Georgia Public Defender's Standards Council, it's just not true. I think what has happened is there has been some rumor that has been developed utilizing the concept of a range and converting that into additional monies that are sort of readily available, which isn't so.

Mr. Edwards said, if I can just —, if I might have just one moment to speak further to the point, I hope that answers the question specifically, but let me also share with you just generally some comments about the investigators' salaries for the Public Defender's office. I think our District Attorney's office in total does a fantastic job in our community and I think they're to be commended. I think Mr. Lawton does an excellent job. I think his staff, his attorneys, investigators and support staff are all preeminent professional and they do a great job. I think they're entitled to every dime that they receive. There's no question in my mind about that. I do though want just to make one point of comparison about just the way the offices will function and operate that I think is important to understand. If there is any perceived disparity in the salaries —, I don't think that there is —, but if there any, please be mindful of the fact that the District Attorney's office also has available to it the benefit of the local law enforcement agencies and the Savannah-Chatham County metro agency, all the supporting municipality and law enforcement agencies throughout the County. Of course, the GBI and the Crime Lab, resources of the GBI, the FBI, the DEA, ATF and the various other state and federal law enforcement investigatory agencies. All of those agencies have —, or the District Attorney's office, I should say, has access and availability to all those agencies and they should. Well they should. I think that that's only appropriate, but the distinction to be drawn is by the time the case gets to the point where it's being prosecuted in the courts and a defendant is being assigned a lawyer from the Public Defender's office or whatever other method may be taking place in that instance, there's but one group of investigators available to investigate the case that's now been developed and that is the investigators within the Public Defender's office. So there's also been some discussion to date about the differing responsibilities that the offices have and the DA's investigators having perhaps greater responsibilities from the statutory point of view than the Public Defender's investigators do, and I'm not so sure that that's strictly accurate only because the District Attorney's office, of course, as the prosecuting agency also has the benefit of the resources of any number of law enforcement agencies. Just a quick example: I myself am trying a major felony case here in Chatham County next week. I have received from the State a banker's box of discovery materials. About half of it is written discovery, some type of discovery that's been reduced to a piece of paper, and the balance of it is audio and video tapes. Of all of that material none of the documents nor any of the tapes, either audio or video, were actually created or generated by a District Attorney investigator, which is by no means a slight. The DA's investigators shouldn't be responsible for each and every case. That would be really rather silly, but the point that I'm making is in that discovery material I had investigative materials that had been developed by four different law enforcement agencies, which of course all then gets flowed into the District Attorney's office for further investigation. So to the extent that there's any perception of difference, I would just ask that that type of analysis also be made as we're looking at this. I encourage you also any time that you have any questions about the indigent defense system, the Public Defender's office that we're developing in this County first thank you all for your cooperation and enthusiasm about doing so. We're grateful for that. But also any time you have any questions about it, please call on me. To the extent that I can answer those questions, I'll gladly do so and, in addition to that, your County website has a link to the Georgia Public Defender's Standards Council website, which has a wealth of information, including some very, very specific answers to questions of this very nature. The one thing that is, I hope, helpful to Commissioners all over the State, particularly ours, is that the system that is being developed is, to use kind of a trendy term I guess these days, it is very transparent and it is intended to be that way. The statute is very open and very clear about what is being developed and designed, how it's being designed, what the salary ranges are for various different positions. So that information is available and I will be glad to answer any specific questions any time.

Chairman Hair said, Commissioner Odell has some questions, Mr. Edwards. Mr. Edwards said, yes sir.

Commissioner Odell said, just a couple. Michael [Edwards], first of all, congratulations. For those who have not had a chance to meet this young man, he is an incredible asset to this community. Mr. Edwards said, thank you. Commissioner Odell said, I say that because I'm biased. He's a long term friend. I remember when he was sworn in and he will do an excellent job. He's a man of honor. Mr. Edwards said, thank you. Commissioner Odell said, I don't want us to try to compare apples to cantaloupes when we compare what is investigated in a Public Defender's department will have to do as compared with what the DA's office. If that banker's box of information, the DA's investigation will simply review with an Assistant DA work that's been done by all of the various agencies. That's not true in your case. In your case, your investigator is going to have to go and into areas, interview and generate, verify, alibi —, it's a whole different thing and unfortunately law enforcement is not so neat that you can say because we call you this and this in another department that you should be paid equally. Should not. If you go over to the federal side, an ATF officer is going to be making \$70,000 and going to be doing various similar investigative work. So the point is the tasks are different. I think the people that looked at the Act realize that the tasks and functions were different and set the salaries accordingly. I've looked at this. I have no problems with it, and I think if Mr. Lawton is upset that his people have not been paid, he's a constitutional officer. He was here. He can up here and asked us to make the adjustment.

Commissioner Kicklighter said, well, Commissioner Odell, that was something that I heard and put it on the agenda.

Mr. Edwards said, just —, and also to be clear, I think, Commissioner Odell, you're about the way the process works and that's a substantial difference, which is not to say that there aren't many cases where the District Attorney's investigators are the primary and the lead investigators, and that too happens. But I do think it's important to recognize that the processes that we go through in handling these cases because that might take or that might give you some ideas about any type of differences you might perceive.

Commissioner Kicklighter said, I appreciate your coming and clearing up the rumor. Thank you very much.

Chairman Hair said, I might just —, I'm very close to Michael's [Edwards] family and know him very well, known him for a long time. I know they could not have picked a better person for this job and I congratulate you again on being chosen, and he's going to do an outstanding job for this Community. Mr. Edwards said, thank you very much. Chairman Hair said, thanks, Michael [Edwards].

ACTION OF THE BOARD:

Received as information.

=====

3. CHATHAM COUNTY COMMISSION AND CHATHAM COUNTY BOARD OF EDUCATION JOINING TOGETHER TO PROMOTE THE POSITIVES ABOUT PUBLIC EDUCATION (COMMISSIONER KICKLIGHTER). Note that Superintendent O'Sullivan will be present.

Chairman Hair recognized Commissioner Kicklighter. Chairman Hair said, it's your show today.

Commissioner Kicklighter said, I had a little —, just one big mind storm brain session and I put it all out there. All right, I want to just talk about some good things here today. I've invited two special guests here today to tell everyone some of the good things going on in our public schools. Unfortunately, the media shows the negatives but not the positives. I know that our Chatham County public schools are providing top-notch educations for our children and our community because I have two children thriving in a local public school. I also hear the positives about our schools because my wife is an administrator in the system. That's why I invited two special guests. I want you to hear the good things. I would appreciate it if my fellow Commissioners would join us today in focusing on the positive things about our schools. The media seems to focus on the negatives rather than telling us about some of the truly amazing educational stories happening right here in Chatham County on a daily basis. At this time I want to introduce an outstanding product of the Chatham County public schools. This kid is in the fifth grade. She is the president of the Student Council at West Chatham Elementary School in Pooler. This little girl's the main reason I know that great educations are being provided right here in Chatham County public schools. She is one of two of the proudest things in my life. She's my daughter, Hannah Kicklighter.

Miss Hannah Kicklighter said, I'll state my name for the record. My name is Hannah Kicklighter and I'm a proud resident of Chatham County and I live in the City of Pooler. Good morning, Mr. Chairman, Dr. Thomas, Commissioners and Daddy. Thank you for giving me the opportunity to speak to you today about some of the positive things going on in public schools in Chatham County. I am the president of Student Council in fifth grade at West Chatham Elementary School in Pooler. I can't speak for all the schools in Chatham County, but I will later introduce someone that can. However, I can tell you my school is providing a great education for all the kids that attend. Everyone receives a good education at my school. It doesn't matter if you're an average learner, gifted learner or a child that needs extra help. Our teachers love to educate all children. We have Search classes for the gifted children and we have regular classrooms where teachers educate a wide spectrum of learners by challenging them in different levels. My daddy wants me to tell you about some of my accomplishments because he said that people need to see that kids can and do receive great educations in public schools. Every year our Search teach takes some of the students to countywide competitions. Last year a friend and I were fortunate to win one of the contests at the local level. We then went on to State level. The State liked our project so much that they entered us in international competition. We will find out this year the results from the international competition. This is one of my proudest accomplishments in school. I get angry when I see people on TV acting as if all the kids in our schools perform poorly on tests because we have plenty of kids in our schools that do great on tests, but all we hear are the bad scores. I know we have people scoring high because I, as well as some of my friends, scored in the 99 percentile on the ITBS test last year. The ITBS test compares us to kids throughout the country and my friends and I scored in the top one percent. I would like to thank you for giving me the opportunity to speak to you today. At this time I am honored to introduce the leader of our Chatham County Public Schools, Superintendent Colonel John O'Sullivan.

Superintendent John O'Sullivan asked, I'm supposed to follow that? Wow! Well, let me give you a very quick presentation, but it's interesting, Commissioners, that I wish I had known in advance that the Eighth Air Force was going to be here because I am a proud product of Eighth Air Force. I was in the Eighth Air Force in 1968 and I served two tours in that command. By the way, for those of you that read today's paper, there's an aircraft carrier on the cover of that paper and I can tell you that on another aircraft carrier there's another O'Sullivan, Lt. O'Sullivan, who's a doctor, and she is now deployed as the fifth generation O'Sullivan fighting a war. Now if I can figure out the technology here. All right, Sam, tell me what I'm supposed to do. The gentleman named "Sam" said, push forward. Supt. O'Sullivan said, well, I got that part. Just bring it up [inaudible], okay. All right. Okay, let me just quickly go through some slides with you folks, and if there's questions I'll try to answer them, but the young lady here really did what needs to be done. As a student needs to tell you the story rather than us older folks try to tell you. Sam, excellent. Let me just lay some foundation for you because what she just told you, there's a lot of myth and mythology around here. Another way of saying, it's urban legend. I will tell you that education is one of the slower moving processes out there and we tend to operate on arcane, outdated research and our young lady pointed out that everybody can succeed, but we need to recognize there's no silver bullet. Let's talk about some realities that we and you and I and our student here live with and we need to understand it. You can read that just as well as I do, but let's make sure we understand that just because children, and we have a large number of them, that come from environments of poverty, it is not deterministic. I would also point out to you that there's an issue of equity, which we are working hard on in our school system, and without —, equity without excellence is just simply another game of privilege. I would leave the last [inaudible] for you to read on your own and understand. I certainly have very strong feelings about it. One of the things she pointed out to you is there's a lot of testing that's goes on —, you were a great front end to this thing —, that goes on with our kids and I want you to kind of get a sense of what's happening. She talked about the ITBS, but let's talk about what our children have to go through. I was there at the time [inaudible]. As soon as I finish this thing I'm driving to North Carolina to celebrate my grandson's first birthday. I was there when he was born. I actually left the room because I felt like I was —, I just didn't want to be there. So, you ladies, I'm not capable of handling that. But he was a premature baby and a lot of testing went on with that child. We get them well after they're past the toddler stage,

but these kinds of things are tested. When they reach our school system, they go through another whole round of testing. Ours is a little different than everything I've just showed you.

Supt. O'Sullivan said, now let's talk about one of the things you really need to understand. If you use the clock and you measure time and you look at how much time a student is in a school, and it really doesn't matter whether it's a public or non-public, even when you include Sunday School, we as a school system have our kids, if they start on time and end on time, 14% of the time that they're alive. One of the questions we ask ourselves every day is what's happening with the other 86. Obviously, eating and sleeping is part of it, but it's not all of it. So ask your self what is going on for the other 86% of the time. Now if we start from birth to graduation —, by the way, that's that first five years —, they're involved in an educational process 9% of the time. Ask yourself the question what's happening the other 91%. I came full circle since I became the superintendent of this school system because a lot of our [inaudible] believes in, kind of been, shall we say, toppled in a way that I didn't expect them to be. I would have told you based on what I learned when I graduated from Indiana University with a degree in education plus what I had learned as a university professor and what I'd learned while I was teaching in the Air Force, so I would have said to you, "We had a window of opportunity with children right up through 11 years old because that's the time that language —, another language learned by a child becomes more difficult and that's right around puberty because things start to shut down. Supt. O'Sullivan said, I have always believed that we had that first five years. However, that's not true. The wiring process of our kids' brains has been decided by the time they're three years old. The protocols of the brain, which are hardwired into our systems, dictate what's going to happen. I used to believe there was a balance between nature and nurture. Actually nature dominates. The protocols of the brain dictate what's going to happen and it's decided by three years old. I used to believe that social science and all the stuff I've learned from Maslow's theories to you-name-it, they were good. Unfortunately, most of them are in question today. I was taught as a teacher, and I think you too, Dr. Hair, and you, Dr. Priscilla Thomas, were taught that reading was what you focused on. Read, read, read, read, read. I still agree with that. However, the real answer to reading is language skills and if language isn't developed in a correct way, you will have a problem reader period. So, in my opinion, we're in the business of getting out of the 19th and 20th Century and moving to the 21st —, go ahead, Sam —, and I think you know why. We're in an information based environment and not a skills based environment and this young lady is going to change her career five times as she grows up if the current trend continues. Five times. She'll re-tool herself five different times.

Supt. O'Sullivan said, now let's talk about what the challenges are and then I'll talk to you about all the good things. This study was done in '95, by the way, and what it shows you is exactly what —, these are groups of families. This is a statistically sound sample. They had welfare families, working class and professional. This thing was published in '95. That's how old it is, and they were able to get families to agree to put tape recorders in their homes and they did it. They taped them for a whole year. Now initially, folks, you are going to remember the tape recorder's there, but after a couple of weeks you're going to forget it. If anybody wants to find out just how that really works, just listen to air traffic control tapes of pilots talking. They have completely forgotten they're recorded all the time. That's exactly what happened in these homes and that's a poor —, very poorly paid graduate students had to put all the words in a computer, and what they found out was that there's a gap in the total number of cumulative words in a family; that that gap is 30,000,000 words by the time the child enters school. Million. I used to believe it was only 14,000.

Supt. O'Sullivan said, now let's talk about our district. Let's talk about what this young lady just told you. We're giving you what is the State data. This is not made up by this district, it's not a tool to confuse, but this is the 2004 CRCT data. This is where we fit in the center of the thing. This is how the State broke out a trillion points. Look at the difference between this number and that number. Why is that important to me? Well, first off, the guy that runs that school system and I served together and I intend to beat him. He's also an Air Force guy. But more important than that, if you want to compare yourself, you want to compare yourself against the big leagues, and in our State Gwinnett, Fulton and Cobb constitute the big leagues because those are districts of individuals that have very low poverty and very high wealth. Okay? And if you can compete against the big leagues, something must be going well in your organization. We compete very well against them. We were beaten by a Cobb [inaudible] by 1.5 points. By the way, if you had looked at this three years ago, it would have been 15 to 20 points, and you can compare all the other numbers throughout. These are State numbers, these are the percentages by ethnicity, this is the [inaudible] number, this is number of special ed. Now we retested. Now isn't this interesting? Atlanta won't even give us their number; however, this is what happened to our number. We moved there, we're one point off Gwinnett, we're three off Fulton. Cobb pulled out ahead by a point. That's not going to happen next year. That means 94% of your children did very well on the State CRCT. That's a testimony to the teachers and the administrators of your school district, but to find students like this one. Without any question, if you look at the statistical data —, by the way, you can pull it off the State web page if you want to research it on your own. If any one of you want to do the numbers on your own, we'll give you the real numbers and you can compute it because we all know that numbers lie and liars number. These don't lie. My dad used to say that all the time. He was an engineer. He was also an Army officer. We exceeded the benchmarks that we set in three of the five subject areas one year ahead of time. If you'll look at the rest of that, you'll see that we have done very, very well. This is where I'm most worried right now. We have not cracked that problem period. It's not moving and we're going to roll out an entire new approach to it. We've got to get into the 21st Century. That means we're going to have to change the way we do high school.

Commissioner Kicklighter asked, Colonel, can I ask a question about that? Supt. O'Sullivan said, sure. Commissioner Kicklighter asked, are there other states that will not allow the students to take the SAT test unless they hit a certain level? Supt. O'Sullivan said, that is correct. If we in the State of Georgia —, thank you. In the State of Georgia any student who wants to take the exam is permitted to and we do not interfere with that. In our district we test over 66% of our students whether they are ready for the exam or not. In other words, you must have certain courses in place to be successful and if you don't have those courses, it really isn't necessarily the child's fault. The test says at the minimum you need to have certain courses in place. Other states in fact select the students. Let's take Mississippi for example: 4% of their students are tested. We test 66%. Now, let me be very honest. Dr. Hair, is it not true that if you test a large number of students, your scores are lower, and if you select out your students, your scores are higher? Chairman Hair said, certainly. Supt.

O'Sullivan said, and that's exactly what's happening all over the United States. So if you grade your school system on an SAT score, you're grading it on the wrong thing because it's a gimmick number. So when I use the comment about liars number and numbers lie, the SAT is a classic example of one of those because you have to know how many children you test to get a right answer. And when you test at the high levels we do, our State is considered poorly performing when in fact it's not poorly performing. This district is considered very poorly performing when in fact that's not true either. Did that answer your question, sir? Commissioner Kicklighter said, yes sir.

Supt. O'Sullivan said, now let's go back. Let's take your daughter's thing though because that's really kind of important. She talked about this right here. Ladies and gentlemen, in 2003 this district hit the national norm on the national norm reference exams. That is not supposed to happen in a district like ours. In 2004 we broke through the national norm. We cannot find, and I challenge anybody to find it, any school system in the United States, anything like the population stats we have here that outperformed us in the last three years. Any school system in the United States. There are 15,000 of them. That's a fact. If you find it, I want to talk to the Superintendent because I've got to find out what he's doing or she's doing. We used to do all of our studies with outsiders rather than insiders. I've got another one coming to take a look at our high school curriculum. These are the programs I think you're very well aware of. I want to point out to you that we are the only school system in the State of Georgia that has a school for those who have gone through the criminal justice system. So unlike how it's been advertised, we do not put the children on the street period. I'm very proud of where we are financially in our school system in terms of our bond ratings and those kinds of things. We have been very successful in becoming more efficient. One of the things though that we have worked on hard over the last three years, and all these things will benefit from it, is our grant funding programs and this gives you an example of just how much money this school system has garnered in just one year working on grants, and if you want to know how much that is, that's close to \$20,000,000 independent of local and state funding. Independent of local and state funding. I don't —, there's no other district in the State that's come close to this one and there's no district in the Southeast that has beaten that number. We're doing very well. However, that's soft money. It's good for three years. We still are faced with some powerful challenges. Let me not mislead you or anything. We are going —, we are facing a terrible challenge here because we must meet standards of 1187, which is our House Bill, the promotion/retention, and we have this thing called "No child left behind." Obviously, I'm going to give you my personal opinion, not that of the Board of Education or anybody else, why education without legislation does not work. And the fact of the matter is it's just a roulette wheel. I think this visual will help you understand that. How many of you, and I'll raise my hand, I've played roulette. Now when I play roulette I know how bad it is so I only bet red and black. That's a 50/50 chance and I have never won, but I've only played it four or five times. So I guess if I keep playing some day I'm going to win. Right? But the wheel has 38 slots on it. See them. If you apply the rules of the Federal Government and our State, we have 30 opportunities on the 95% participation rate to fail; 30 opportunities to fail. On the full academic year we have another 30 opportunities to fail. On the second indicator, 10 more. At each grade level, that equals —, you have to meet every one of these categories to stay off the AYP list. That's 70 categories. Per grade level, pardon me. So each elementary school, the elementary school this young lady is in, has 210 indicators they must succeed with to be defined as a successful school. Now if you do that all the way through the system for elementary, middle and high school, this district to be considered a successful district has 490 categories it must be successful with. Must be successful with. Only one will put you on the list. Now do you want to play roulette or do you want to play this game? I think I'd rather have the roulette wheel. Yet this is what's happening in your school system. Against 490 odds, one in 490, this is what's happening. This is the part we believe has made as much difference as anything in the last year. We really work on trying to get to our parents through all the media outlets, through your web page and others, through the radio stations, through anything we can do and we think it worked. The churches, the principal in helping us out.

Supt. O'Sullivan said, now let me tell you where we're going. We're going to go to the 21st Century and we're going to go there fast. We're going to bypass the soft sciences and we're going to go to the hard sciences. That means we're going to neuro science labs, we're going to start using all the technology available from music labs, which teach math, to smart boards, to artificial intelligence, the distance to E-learning and we can if we pass our SPLOST we're going to have a technical academy. What I want you to know is the world is here right now and we're just too slow to catch up with it. Most of you are like myself. You carry something like that [holding up an I-POD]. I'm on the Internet 24/7. Kids are playing with toys that are Game Boys with screens as small as that one. They already know how to master the technology. Our teachers are struggling a little bit because some of them are as old as I am and I'm over 60 so we won't go any further than that. Sam, go back one. There's a couple of points I want to make there. We know that we can bring our kids into this personal assistant environment. We know that they can connect to the digital world anytime, anywhere. They can actually have a personal tutor and it doesn't matter. It exists right now and I can take you to labs and institutions where it works. That means we're going to have to go someplace different. We're operating here; we haven't even gotten to that yet; we're starting pieces of this thing, but we've got to get out here. That means we have to go to distributive environment and that's where if we can get the resources in place it's my intention to go. Go ahead, Sam. And for those of you that think this is farfetched, my daughter right now on the John Stennis [phonetic] has a PalmPilot or whatever device that may be issued to her, and when she goes to the ward on the ship and she's got 80 patients in it because that's what she told me on the last E-mail. By the way, this morning I got an E-mail that had the picture of the aircraft carrier with the supporting folks around just to remind us she's out there, and I went, "Some place on that ship's mine, my kid." She's got one of those and all cases and records are on her little device, whether it's x-rays CAT scans, the entire medical records all sitting on this device. I [inaudible] textbooks, all tests, or all teacher assignments. Everything would be on that little —, that device. If it's wireless. The answer is they can. That means we're going to put the child here and we're going to build our environment all the way around him.

Supt. O'Sullivan asked, now where are we going to go with the tech academy? Frankly, we're going to have it in the center. We're going to use the [inaudible] concept of here are the —, are essentially the skill-based environment, and here is the technical environment and, if we're lucky and we continue down the path we're going, we have the property being ready to be donated and most of you know where it's at in the County. It sits literally across the highway from where Georgia Tech is, who we have formed a recent partnership with, and just down the road is Savannah Tech, and you'll have the three techs

right there, and it's our intent to bring into that environment a college-level research lab in plasma. By the way, that's a new energy source and if we're successful, it will be the only one in the Southeast. If you want to learn about plasma, you're going to have to go to a high school, not a college because there is no one around here that has it. Now what does that mean for us? Well, in my opinion we've got to jump past where we've been, we've got to get into the neuro world. That means when we need to adopt all levels of the neuro sciences and brain base. We start our teacher convocation this year with a neuro scientist, not me. We're going to go to a 24/7 as soon as we get the money. We need —, when we design our new facilities, assuming we get our SPLOST paid, we're going to be looking at 21st Century facilities as opposed to boxes because today we operate at a factory environment. It doesn't matter what school you go to, it doesn't matter what college you go to, the design of the process was invented at the beginning of the Industrial Age and it's a factory model and it assumes you have raw material coming through a system and out pops at the other end this finished product. And that's not how human beings function. We have got to go to a very different place. That means we're going to have to invest in technology. Refresh by the way, technology's moving at such a rate now that you need to be in a refresh mode every year and a half, and at the rate that it's expected to go, probably every year. In all honesty, no institution can keep up with that even if you had all the money that Gates has.

Supt. O'Sullivan said, now from my point of view, and this is important for you to understand, that it would be really nice if we could start effecting the testing of children very early in their life. For your information, today in a laboratory environment, and by the way I'm going to try to get my grandson into this lab, the researchers have the ability to test a nonverbal child at six months and tell you what their verbal I.Q. is with 95% accuracy. That's a fact. It's not fiction, and they've been testing for 10 years. It's good stuff, but it can only be done in a laboratory with very sophisticated devices. Somehow we've got to get it out of the lab into the real world. To me that means you start to affect the medical community, and I'm working with the hospitals now to talk about how that might occur. Maybe you'll work it through the public health, maybe you'll work through the pediatricians. Who knows? But it has to happen faster than the school system. By the way, if you could bring the lab stuff to the pediatrician's office, we can test in a lab a thing called a brain speed. By the way, for those of you who don't know it, right here in your head is a clock. That clock dictates your language. My wife and daughters have a cycle, as do all the women in this room, so they know about those clocks. Us men sometimes forget they exist, but we actually have multiple clocks in our bodies, all hard wired. It's decided from birth. We're all born into an environment in which we are universal language learners. It doesn't matter whether it's Chinese, Japanese or English. We don't know what language we're going to be born into so we're wired so we can learn any language. But there's a clock in there and that clock runs at a 10-millisecond rate, and if that clock isn't running at 10 milliseconds and it's going slower than that, like 60 or 300, you're not learning a language properly. In fact, you're going to have a real problem, and if you're not learning a language right, you will be a problem reader and if you're a problem reader, you probably have behavior problems as well. We need to know what the brain speed is. By the way, the brain can be sped up. There are tools that actually can tune up your brain. I know, it sounds like science fiction, but it's true. I used to tune up my car. Now I can't do it because I need a tool to do that and, by the way, you can't do it either. A teacher can't do this. It requires computers, but it can be done. I want to know that piece. I want to know what this is that tells you what the language is so that we are ready for the child when the child arrives. In other words, we get their height and their weight and when they have glasses, like me, or a hearing problem and hearing aid, special needs. Wouldn't it be nice if we had all that other stuff and the teachers knew precisely what they were getting. By the way, no teacher can handle 30 children with 30 different brain speeds. It's impossible. Let me give you an example because I know this is hard for you to understand. I'm watching Mr. Rayno talk over there. Let me do this. Mr. Rayno, I was talking to the number one neuro scientist in the world on this subject just a month ago and I said, "How can I explain this to anybody?" And she said, "Huh." She stopped and she looked at me and she said, "I – AM – TELLING – YOU – THERE – IS – A – PROBLEM." Commissioner Rayno said, you're assuming her theory was correct. Supt. O'Sullivan said, well, with five nurses that validated it, I think it's correct. Now, what did I just say to you, sir? I am telling you that there is a problem and I said to her, "Okay, so what?" She said, "What just happened? The time element between the words slowed down, didn't it?" Now if I'm a student who is running at 30 or 60 milliseconds, I may hear the first and the fifth word, but not every word. Now, this is real science, not science fiction, and the point I'm making here is let's not wait. We've got to get ahead of it rather than behind it. Today none of this stuff is in a school of education being taught by anybody and so we're moving into the lab environment as a district.

Commissioner Odell asked, doesn't —, having —, listening carefully to what you said, my concern is that at three years old you attempt to predict whether or not this person has the capacity to be a whatever, and if we did that, then we would have missed out on some great presidents who were not extremely smart. Supt. O'Sullivan said, no, that's not what I said. What I said was that we have protocols as human beings. Those protocols dictate how we wire up. If we know how the wiring process is working, then we can influence that process and, therefore, we can change outcomes. The difference is we get it to us handed at the time a child enters school and now they're trying to compensate for everything that's happened before. Commissioner Odell asked, when we say change outcomes, we mean increase the learning capacity? Supt. O'Sullivan said, absolutely. Commissioner Odell asked, not increase the person's destiny? Supt. O'Sullivan said, no. All you can change is the ability for somebody to learn and to learn at an accelerated rate because the answer here is acceleration not remediation. I want to accelerate rather than remediate.

Commissioner Kicklighter asked, can I, can I —, Colonel, give a little bit since —, I want to say on that, Harris [Odell], that right now they test the kids when they enter the school. Commissioner, right now they test the kids when they enter the school. If they're needing additional help, they'll put them immediately in a —, what? — an EIB class? Supt. O'Sullivan said, that's correct. Commissioner Kicklighter said, which is a smaller class, gives them more instruction to try to bring them up to the level, and I believe that's the type research we're talking about here to be able to give them the additional help right off the bat if they need it to move them forward. Supt. O'Sullivan said, that is correct. [Inaudible comments were made when several individuals were speaking at the same time.] Commissioner Odell said, I don't have a problem with that. I just don't want at three years old people to start predicting what people can and cannot do. Supt. O'Sullivan said, no, this doesn't predict that. Commissioner Odell said, that concerns me because it gets to be a self-fulfilling prophecy. You look like an idiot, we're going to treat you like an idiot, so you grow up to be an idiot. We've tried once in history. Supt.

O'Sullivan said, no, that's not at all what this is about. This is about knowing what you can do to influence what we can do to learn, and if we can teach language in an appropriate way, then we can solve reading. If we can solve reading, we solve all the doors to life.

Supt. O'Sullivan said, now that means we're going to not do business as usual and, in my opinion, we move to the forefront of the sciences as opposed to sitting and waiting for it to happen. In other words, you know, the medical community took forever to agree to the CAT scan. I just want to get past that kind of thinking. So we're going to function as a lab district and let me just ask you a couple of questions based on what you may know about us. Do you think student achievement in this community has improved? You just answer the question yes or no. What do you know about our teacher development? By the way the answer to the student achievement is the last three years it's moved very, very well in every single category that's measurable. By the way, we have the highest production of national board certified teachers in the State of Georgia. What about leadership development? You hear a lot of talk about that. People like myself and a principal and teacher leaders and the others. We have now a very sophisticated leadership development program that's going to be studied for three years by five universities to find out if it really works. So we're already in the lab environment. Parental involvement, we have a long way to go. My Lord. But we've come a long way too. Operating efficiency. I think that's a very important term. If you take the amount of money the school district has seen increase in its actual real dollars for the five years and you compare it to the CPI, you're going to find that we're more efficient than any company in the Fortune 500. Those are real numbers. Dropout rate, by the way, is down not up. Graduation rate is up, not down, and we have a young lady here who already told you about national norm reference exams. We're above the national norm and we're not supposed to be there. I'm very proud of that. Now, if you were a business and you looked at us as a business, I would submit to you that we might be a front page story on the *Wall Street Journal* because usually they look for improvement in all the measurable categories on the market. Right? We've improved in every measurable category but one. Therefore, by definition we're beating expectations. Right? If you look at us as business units, and the business units being elementary, middle and high school, I can tell you for a fact that two of the three business units have performed admirably. I will tell you that our high school one is still steady-stating. It's not moved where I want it to go except in the AP areas and the number of courses taught. But in terms of our SAT, we have not cracked that problem and we've got to crack it. So I'm going to give you a different measure of merit. Rather than normal P&E, I'm going to give you performance expectations. Didn't we beat our P&E? Yeah. Any questions?

Commissioner Odell asked, what does it cost per student? Supt. O'Sullivan said, the State and ourselves, when you put both together, you're right at about \$8,000 per student per year. That's for a regular education student. You've got to be very careful about how you use the numbers because when you throw in the special education student, particularly the very high needs ones particularly those who are very, very fragile, that number can jump as high as \$20,000 particularly for one that has a one-on-one system, who essentially is a nurse. Commissioner Odell said, I guess my question is if you subtract out the special needs and you come up with just a regular student, then the cost is \$8,000? Supt. O'Sullivan said, right around \$8,000, that's correct. I can get you an exact amount though. Commissioner Odell said, okay. And how does that compare to other schools like —. Supt. O'Sullivan asked, in our State? Commissioner Odell asked, — like Fulton, DeKalb? Yes sir. Supt. O'Sullivan said, all right. Cobb is over \$2,000 more per child, so is Fulton, so is Gwinnett. Commissioner Odell said, and those are the major players? Supt. O'Sullivan said, well, there are other districts that like to claim they're major players too, but if you were to compare, I would ask you to compare us as a way of —, put us against the very top, okay, in terms of academic promise in the State and I would suggest to you based on history, Fulton, Cobb and Gwinnett are the top three school systems in the State of Georgia. Commissioner Odell asked, and they're at least 2,000 or more dollars per student greater —. Supt. O'Sullivan said, per year. Commissioner Odell said, — per year than what we pay? Supt. O'Sullivan said, yes sir. Commissioner Odell said, I think that that is something that the general public does not know, and the reason I —, I'm not certain if —, we had a child that we put in private school that cost like \$6,000 a year so if we spent \$6,000 in a private education school and maybe the teachers were not all certified, but your 12-year-old daughter looked like a 12-year-old daughter not a 18-year-old woman like some of the schools do, in particular Windsor Forest where my daughter is going, and it cost less. I wondered why we cost more. Supt. O'Sullivan said, well, first of all, the answer to your question, I think you're measuring apples and oranges. First, let's start with the rules and regulations. No private school is required to have one single certified teacher or administrator. They have no standards they're required to meet on the national and state level other than those they choose to follow. They have curriculums that they can choose. We can't. Our salary schedules and our progress is set by the State of Georgia, so the basic salary scheme for our schools is mandated by the State of Georgia. Eighty-five percent of the money spent in this school system is not controllable by myself or the Board of Education. Commissioner Odell said, so it's driven by legislation from the State. I understand that and that's a very good answer, but even considering that just noticing and it's the small private school, I think they had a greater leadway as far as the discipline and maybe with a different mix of kids too. Supt. O'Sullivan said, yes, they do. Commissioner Odell said, I'd like to talk to you about that some time. Supt. O'Sullivan said, we have a very controlled environment, and I think you know that. Yes sir?

Chairman Hair asked, Colonel, are there any schools in Georgia that spend less than we do that outperform us academically? Out of all the districts? Supt. O'Sullivan said, I don't, sir. I don't know the answer to that question. I suspect there probably are though. Chairman Hair said, yeah, okay. Supt. O'Sullivan said, it would be logical. Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, thank you, Mr. Chairman. Colonel O'Sullivan —. Supt. O'Sullivan said, yes sir. Commissioner McMasters asked, — your \$8,000 per year per student cost, how did you arrive at that? Supt. O'Sullivan said, I used the State numbers that the State provides us plus, sir. Plus a local supplement. Commissioner McMasters asked, are you including in that —, do you know if included in that figure is your debt service and —. Supt. O'Sullivan said, no. Commissioner McMasters asked, your debt service is not included in that figure, is it? Supt. O'Sullivan said, no. Commissioner McMasters asked, and if you were to include that figure it would really be probably closer to \$9,400? Supt. O'Sullivan said, it would be more like \$8,500, \$8,600 a child if it's a regular [inaudible]. Now remember what you're doing.

In all —, if you're talking about every child combined, that number goes way up particularly because of special needs students. Commissioner McMasters said, well, since you're servicing all types of children, wouldn't an average for your total cost be more representative? Supt. O'Sullivan asked, of what? What number? Commissioner McMasters said, of the actual cost per pupil regardless of special needs, non-special needs. Supt. O'Sullivan said, no. Let's take the private school that Mr. Odell talked about. It has probably in it just regular ed kids, maybe some kids who are considered by the State to be gifted based on some kind of analysis. There are no special needs children in that school and there are probably no free and reduced children in that school. So if you try to run a comparison like that, you are essentially comparing an apple to an orange. No sir, that's not an accurate way of assessing it. Commissioner McMasters said, okay. On measurements, do you happen to know what your 2003 dropout rate was? Supt. O'Sullivan asked, Sam, do you know what it was, 5.6? 5.6. Commissioner McMasters asked, 5.6%. Supt. O'Sullivan said, that's correct. Supt. O'Sullivan said, asked, why does the Youth Futures tracking information that I received show that your average dropout rate is 45%? Supt. O'Sullivan said, well, first off, they're using two different measurement tools. The State, and Dr. Hair knows this as well as I do, there is a specific formula used by our State to compute dropout rate. We're —, we have to report in accordance with the Federal and State laws, if you [inaudible] analysis, children, starting with beginning at sixth and seventh grade, in other words, if you could find out how many children actually entered sixth grade and how many graduated twelfth grade, you could come close to a number like you're talking about, particularly with the rotation of students in and out of our district because every child who departs and does not show up in another public school in Georgia, is in B-E considered a dropout whether they're a military child or not. Commissioner McMasters asked, well, the Youth Futures summary —. Supt. O'Sullivan said, I'm on the Executive Board so I know what it says, yeah. Commissioner McMasters said, — really was tracking ninth grade —, once they leave ninth grade, the students at the end of twelfth grade, you have a 45. Supt. O'Sullivan said, I think that will work, that's correct. Commissioner McMasters asked, that's correct, right? Okay.

Chairman Hair said, Commissioner McMasters, that would be different if he takes kindergarten to twelfth, first to twelfth, second to twelfth, every one of those numbers would be different. Commissioner McMasters said, I understand. Well, I'm only referencing what stuck in my mind, which was the ninth grade —. Chairman Hair said, right. Commissioner McMasters said, — to the twelfth grade. Chairman Hair said, to the twelfth and that's the 45.

Commissioner McMasters said, the other question I have is do you happen to know what your truancy levels are for high school in 2003? Supt. O'Sullivan said, I don't know. I can get that, but no I do not know. We know what our attendance rates are. Commissioner McMasters asked, well, could you extrapolate to truancy? Supt. O'Sullivan asked, can I extrapolate? No, I don't know that I can, but I can find out. Commissioner McMasters said, well, if you wouldn't mind, I've been working on the truancy subject —. Supt. O'Sullivan said, I know. Commissioner McMasters said, — and I would appreciate knowing. Supt. O'Sullivan said, so would I. That's a good question. I never thought about that one. Commissioner McMasters said, so if that's possible for high school and middle school, it would be invaluable to [inaudible] task force and the general initiatives that are developing that will help you address truancy. Supt. O'Sullivan said, yes sir, I will.

Commissioner Kicklighter said, you've been working on truancy and haven't been working with the Colonel on the Board of Education, how have you been gathering your information on it? Commissioner McMasters said, I've been working with the Board of Education with Colonel O'Sullivan and various other —. Supt. O'Sullivan said, and Colonel Bowen's on that. Chairman Hair said, yes, he said he was. Supt. O'Sullivan said, yeah, we are. I just —, what I don't know, Commissioner Kicklighter, is I don't remember the —, I don't know the specific number. I'm kind of like the Police Chief, some numbers I can remember; others if I don't have them in front of me I don't know.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, Colonel, I want to thank you and thank my daughter, Hannah, for coming out here today. Unfortunately, maybe a few others missed the point of my intentions today. It was to be able to invite you here to showcase some of the good things going on in the school system, which there's definitely many good things going on. We have opportunities almost daily, unfortunately in the media to see the negative things and, you know, I think we have the perfect venue here, once again, to — I believe y'all need an avenue to showcase the good things, promote the public schools. It's my belief that so goes our public schools, so goes the residential developments here in Chatham County, and you can see that from the perception of the West Chatham schools being great schools. That area is now booming and it's all tied together. We need, in my opinion, to work together with the Board of Education to promote the positives. The media will always be out there and they're going to let all of us know the negatives and all I want and I'm asking and I put this in the form of a motion here is I would like to make a motion for conceptual approval to allow the Chatham County Board of Education to utilize air time on our Channel 16 government channel. I believe that they —, this would come at no cost to us and I don't really believe that it would cost them because they have Savannah Arts Academy, I believe, does the —. Supt. O'Sullivan said, has their own production capabilities. Commissioner Kicklighter said, — own production capabilities and I believe it would be a good thing for the County to be able to showcase some of our schools, the good things about it and —.

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

Chairman Hair said, thank you. Supt. O'Sullivan said, thank you, sir. Have a good life. Thank you for helping with us at the official meeting. Chairman Hair said, no problem. Thanks.

Commissioner Thomas said, just one more statement, Mr. Chairman. Chairman Hair said, yes, Dr. Thomas. Commissioner Thomas said, just, you know, in face of the media, and I do understand what you're saying and I know that many times the negatives are being stressed more than the positives, but I do want to say, you know, in all fairness to the media, from my perspective that they have done —, they've done a good job in many of the areas in helping us as citizens to understand what is going on in our school system, and they have played up a lot of times major things that are happening in the public schools. We would just like for them to do more of it, but I would not go as far to say they don't do it at all.

Chairman Hair said, also, Colonel, I have some stuff that I'll give to y'all, change of management that we've been very successful and I'll share that with you as well. Supt. O'Sullivan said, I'd be glad to see that.

Commissioner Kicklighter said, Mr. Chairman, if I could one more thing. I will say that our media people here don't cover the Board of Education. They do a good job for us, but one example pops in my head. I spoke with a woman yesterday that's an educator in another school system that's considered by many Chatham County people the superior county to ours and she was telling me that yesterday in the high school she watched a fight between two people and the assistant principal, neither one of them would get involved to break up the fight because this gentleman's had his nose broke twice breaking up fights in this particular school. And it hit me like a brick because this was already on the agenda. I remember a young man, unfortunately a teacher, at Windsor Forest, front page, every channel had it, so we looked like a wild school system. Two broken noses in this other school system did not make the news as far as I now and that's the type of thing I want us to accomplish with this. Let's show the good things and, again, I understand. The media's in the business that they have to make money and, you know, they're going to play to the audience that has a quarter of a million people versus a county that has 25,000. So, you know, it just —, I'd keep that in mind, but you're under the microscope and I just want to —, I'm glad that this Commission has given you the avenue to promote good things.

Chairman Hair said, thank you. Thank you, Colonel. Have a good trip. Supt. O'Sullivan said, I'm going to my grandson's birthday party. I'm driving to North Carolina. Chairman Hair said, all right, thank you, sir. Commissioner McMasters said, have a safe trip. Commissioner Thomas said, be safe.

ACTION OF THE BOARD:

Commissioner Kicklighter moved that the Board give conceptual approval to allow the Chatham County Board of Education to utilize air time on our Channel 16 government channel to be able to showcase some of our schools and the good things about the public school system. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

=====

ORDER OF BUSINESS

Chairman Hair said, I'm going to ask unanimous consent, as a courtesy to Dr. Thomas, she has to leave in a few minutes, that we complete the agenda with the status of best value and put that at the end because that's going to be a presentation. Does anybody object to that? Okay. [NOTE: No objections were made and Item VIII-2 was moved to the end of the agenda.]

=====

4. C AND A SERVICES (COMMISSIONER RAYNO).

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, the people that are going to do that are not here. I've asked my fellow Commissioners to grant me the courtesy of putting that on the agenda next time.

Chairman Hair said, okay.

ACTION OF THE BOARD:

At the request of Commissioner Rayno, this item was postponed to the next agenda.

=====

5. LIQUOR LICENSE AND ZONING ON GAMBLING BOAT (COMMISSIONER MURRAY).

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yeah, I put this on strictly for clarification and so we know and the general public knows what our legal responsibilities are in this. To my knowledge, we only have the responsibility right now of the liquor license, which we approved in July. Based on the information we had it met all the requirements. If it meets the requirements, they will be able to do that. Now, if it doesn't, then of course they won't and I would like to refer to Jon Hart to give the thing —, I just

want the Commissioners to know and the general public to know that we, as a Commission, and our responsibility as Chatham County Commission versus the DNR and these other agencies that are involved in this.

County Attorney Hart said, as a general rule when you're dealing with something like a boat, we pretty much have the authority to regulate things up to the water line and at that point out from the water line you get into DNR issues and Coast Guard issues. On the other hand, when the boat is tied to a dock, then the County does have some control over the landward side facilities that support that structure, and at one point in time this particular there was a parking issue and it was our understanding that there was a contract worked out with the Department of Transportation, and apparently there was late-breaking developments this week apparently the Department of Transportation has undone that license, so there is —. The problem it was granted on the fact that at that point in time they met all the requirements of our ordinance. At this point in time there is an issue of parking. We were provided yesterday, late yesterday afternoon, an indication that there may be an alternative parking service that will put them back within the requirements. They've got to meet those requirements. We haven't had time yet to sit down and look at that. I know that there's going to be a meeting early next week in which the Inspections Department is going to review their site plan and make sure that it meets the requirements. If they meet the requirements, then under your ordinance you've got to grant the license. If they don't meet the requirements, then obviously you should not grant the license.

Chairman Hair said, if that alternative plan —, would it have to come back or would that just be part of the —. We've already granted it, right? Commissioner Murray said, we did that in July. Chairman Hair said, okay, that's —, so if the alternative plan goes, they don't have come back before us, right. Correct? County Attorney Hart said, correct. Chairman Hair said, if they pass the zoning. Okay, very good. Thank you.

=====

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. REQUEST BOARD APPROVAL OF A RESOLUTION TO ADOPT THE COASTAL GEORGIA GREENWAY THROUGH-CORRIDOR ROUTE THAT LIES WITHIN ITS JURISDICTION. [ALL DISTRICTS.] Tabled at meeting of April 16, 2004. (See memo of the 6th of May responding to additional questions on this matter). At meeting of May 14, 2004, item was tabled to the first meeting in July. Note: Request this be delayed until the August 13, 2004, meeting.**

Chairman Hair said, we're going to leave Item #1 on the table.

ACTION OF THE BOARD:

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

=====

- *2. PRESENTATION ON STATUS OF BEST VALUE CONTRACTING. Tabled at meeting of August 13, 2004.**

Chairman Hair said, we're going to schedule #2 at the end.

* * *

Chairman Hair said, I need a motion to take off the table Item 2, Presentation on Status of Best Value Contracting. Commissioner Murray said, so moved. Chairman Hair asked, second? Commissioner McMasters said, second. Commissioner Kicklighter said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers and Gellatly were not present when this vote was taken. Chairman Hair said, the motion passes.

Chairman Hair said, now we will have the presentation on best value contracting and, I don't know, Commissioner McMasters, are you going to introduce this?

Commissioner McMasters said, I think Diversiplex —. Chairman Hair said, Mr. James. Commissioner McMasters said, — is prepared to go ahead. Chairman Hair said, okay, I'll call on Mr. James.

Mr. Robert James said, just a moment. Chairman Hair said, take your time, sir. We delayed you, so —. Mr. James said, good morning —. Chairman Hair said, good morning. Mr. James said, Commissioner —, Chairman Hair and the rest of the Commissioners. I appreciate this opportunity to come before you. I was asked by the staff to give a brief update, presentation on the status of one of the items that I'm working on as a part of my consulting agreement with the County, and that item is the best value contracting pilot program. And I passed out some handouts so you can follow along. The outline

of this presentation, the County Commission voted to create a pilot program for the best value contracting, so we'll discuss that. We'll discuss the agreed-up best value contracting deliverables. Those are the items that I am personally responsible for and my company is responsible for providing to the County with regard to best value contracting. I'm just going to briefly inform you of certain meetings that have taken place so far and give you a summary of the legal review that I have conducted in my capacity as a lawyer. Under the direction of the County Attorney I have done a legal review on best value contracting and how to implement that under the State procurement law. The plan for the pilot program implementation and then next steps, things that we need to continue to work on.

Mr. James said, on April 16th this Commission adopted a resolution to create a pilot program for best value contracting. This is the resolution that triggered the staff's and my involvement in the best value contracting initiative. This resolution was to create a best value contracting scorecard for use on the courthouse renovation project and also to recommend that that scorecard be recommended to the Library Board for use on their renovation project at the library, and I think they're doing a construction project on a new library as well. That resolution also asked for myself and DiversiPLEX, as the MWBE consultant, to assist the staff in developing that best value contracting scorecard. Subsequent to the meeting on April 16th, I met with the County Attorney, Mr. Hart, and as well as with Mr. Kaigler, who is the Director of Human Resources, and agreed upon several specific deliverables. Those deliverables that were agreed upon at that time are, number one, a legal memorandum reviewing the existing Purchasing Ordinance, the State law that impacts the County purchasing, as well as some of the desired features of a best value contracting scorecard to review how we can implement those things in a manner that would keep the County in compliance with State law. And that legal review memorandum was prepared not by DiversiPLEX, but by myself, Robert E. James, II, personally as a lawyer representing the County. The best value contracting scorecard and procedures report is the second deliverable, just a scorecard to be developed in conjunction with the staff to be used to evaluate the responsibility of a bidder, and a report regarding how that scorecard should be implemented in a bidding procedure. And the third deliverable is an implementation threshold recommendation, some analysis regarding the implementation of best value beyond the courthouse, a recommendation regarding the dollar threshold that you want to require best value contracting standards to be implemented on future construction projects.

Mr. James said, just very quickly a review of some of the meetings that we've had. On May 5, 2004, I had a meeting with organized labor representatives. They asked for the opportunity to give their input on the best value contracting scorecard and I met with Mettie Settles [phonetic] and Joseph Walker, who were representatives of the Trades and Labors, and those individuals gave me some items that they would like to have —, that they would like to see included in a best value contracting scorecard. I met with —, had several meetings with County staff on best value. It's important to note that my projects, the DiversiPLEX contract has a number of items. Best value is simply one of those items, and best value has come up at these meetings, but most of these meetings were not exclusively to discuss best value contracting. And these meetings were with the Director of Human Resources, the County Attorney, the Director of Purchasing and the County Manager.

Commissioner McMasters said, Mr. James. Mr. James said, yes. Commissioner McMasters said, just to be clear. In the printed materials and in our meeting this week, which I appreciate all that was accomplished in that, your meeting on July 15th and your slide says Assistant County Manager, and in the report says the City Manager. Mr. James said, oh, I guess that's just a typo. Commissioner McMasters asked, [inaudible] the City Manager? Mr. James said, no, no, no. Not the City Manager. I haven't met with anyone from the City of Savannah. Commissioner McMasters said, okay, so it's just listed —. Mr. James said, that's my mistake. I apologize for that. Commissioner McMasters said, okay, thank you.

Mr. James said, let me just give you a quick summary of the legal review that was prepared for the —, for the County Attorney and delivered on July 15th. In the legal review that I prepared for the County Attorney there were three questions that we looked at specifically. Number one is whether the County can use a best value contracting scorecard to determine the responsibility of a bidder. As you know, State law requires for construction contracts for the County to accept a bid of the lowest responsible bidder and the question is whether we can use this best value contracting scorecard to assess the responsibility of a bidder. Number two, may the County include health insurance, pension programs, apprenticeship programs, et cetera, in a best value contracting scorecard. And, number three, may a County reject a low bid if the bidder fails to meet those responsibility criteria as set forth in the scorecard. We arrived at several conclusions in the legal review. Number one is that the scorecard criteria, if implemented, must be reasonably related to the project and the quality —, for the quality of work, and that the County must apply the criteria without arbitrariness and equally to all bidders. And that simply means that we need to very carefully adopt these criteria, make sure that they're objective and make sure that we apply them equally and that there's no question with regard to how they're applied to bidders across the board. Conclusion number two is regarding whether the County can include certain specific elements that were outlined for desired inclusion in a best value contracting scorecard. Chatham County is one of, I think, two counties in the State that are authorized under Official Code of Georgia 36-10-2.2 to consider specific items that are explicitly provided in a State statute in assessing the responsibility of a bidder in a lowest responsible bidder scenario, and that statute provides five specific criteria that the County may consider. Number one is quality of work, number two is general reputation in the community, number three is financial responsibility, number four is previous employment on public works, and number five is compliance with Minority Business Enterprise Participation Plan. Now that's not to say that you can't —, that you can't consider other items, but it is to say that those five are explicitly allowed under the statute that has been promulgated by the State Legislature.

Commissioner McMasters said, Mr. James. Mr. James said, yes. Commissioner McMasters said, if you don't mind giving us a chance to ask as you go through this, rather than back up and —. Mr. James said, go right ahead. Commissioner McMasters said, and fellow Commissioners, this —, particularly Harris [Odell], — the five categories here, the quality of work and general reputation, what I think would serve us best and what I think we had some consensus on previously in addressing this subject was a little more precise than this, and I think it's ultimately maybe going to get there, but I'd like to see if we agree so that we can tell Mr. James now that one of the most important things, at least in my mind, is not just a generic history of work and general reputation, but honestly the five or whatever number this Commission deems the right

number of projects done by that bidder, the last immediate five or whatever the number may be in terms of what the bid was, what the finished cost was, what the general client's satisfaction was, how many change orders —. Commissioner Odell asked, how would you treat new bidders? Commissioner McMasters said, well —. Commissioner Odell said, I'm a new company —. Commissioner McMasters said, you're going to, I think here, Harris [Odell], that this is an issue that needs to be addressed and Mr. James believes can be addressed through one or two different modes, but forgetting new business, setting it aside for just a moment that there is a way to deal with new businesses so that this is not restrictive, if you take the other side of existing businesses, of five or ten or whatever the right number is, immediate past prior performances on their bids from RFP award to final price, completed job cost, the change order numbers, the general client's satisfaction, and any other measurements that Mr. James might recommend or anybody involved in this process, I think will help us to get down to the best definition of responsible bidder. So setting aside for a moment, Harris [Odell], new business, was that something that we think is —, would be a good thing in this model?

Commissioner Odell said, I don't. I don't. It would sort of handcuff us to the point that —, and I think it would be an administrative nightmare too potentially. I think we want to leave them relatively general, which gives us greater flexibility, and people who are bidding can understand that these are the criteria. I think the more you spell out the more trouble you get in. Leave the categories broad.

Mr. James said, and just very quickly, the purpose of this slide is simply to outline what the State law says that you are committed to. You just —, this is just really a summary of what that State statute allows you to consider. It's not a prescription of any particular criteria. We'll get to that a little later on. Commissioner McMasters said, I understand that and I think you said that we have the ability to cobble onto it whatever we may wish and I would just suggest to Harris [Odell] that, you know, if you were going to have lower back surgery, Harris [Odell], I think you'd want to know from the surgeon how many times he's done this operation, what his success rate is, what his patient's satisfaction with his procedures were. Commissioner Odell said, and whether or not he believes his wife is having an affair with the lawyer. That's always a good question. Commissioner McMasters said, I wouldn't ask him for that.

Mr. James said, it's very important though that whatever criteria we do set forth for best value, they need to be able —, we need to be able to relate them back to this, to one of these five things. They need to be able to be related back to that and that's, you know, to protect the County from any legal challenges for the best value contracting.

Commissioner Odell asked, is there a recommendation that you have —, and this is relatively new —, based upon the limited experience that I guess this country's had in best value, that you can give us information or give us recommendations on the various categories, how they should be expanded? Mr. James said, yes sir. Commissioner Odell said, and the legal reasons therefor. I mean, like y'all ought to do this because if you do this, then potentially it could get into that kind of problem. Mr. James said, yes sir, yes sir, and —. Commissioner Odell said, I think that would be helpful. Mr. James said, and the County Attorney may want to —, I don't know what your protocol is, but the memo that I prepared for you, I didn't want to include that in the packages, but you, you know, you may be —, you may want to review that.

County Attorney Hart said, we met pretty extensively about a lot of the issues you've raised. You know, the —, you want to be able to have enough criteria so that you've got a real valid test to ensure that you're getting quality work. At the same time, the more specific you get, you get yourself in a situation of giving yourself a greater chance of perhaps not following that same protocol or becoming so self-limiting by the requirements that you narrow the market so much that you don't have competition. So it's always one of those balancing type things which ultimately this Board's going to have to make some policy decisions on. We'll get you within the limits of the law and we'll take you in whichever direction you wish to go, but ultimately, you know, you're going to have to decide this is our policy and we intend to follow it.

Commissioner Odell said, we've taken or we will continue to take input from the unions. Right? County Attorney Hart said, correct. Commissioner Odell asked, is that true? Mr. James said, that's what I've been requested to do, yes. Commissioner Odell asked, but if you meet with Jon Hart, are you under any belief that you have to have the union there every time you, as our consultant, meet with our staff? Mr. James said, no, but what I am under the impression is that we've been requested to make sure that the union receives regular updates on our progress, but that, you know, it wouldn't necessarily be appropriate for any particular group to be involved in every single meeting that takes place. Commissioner Odell said, yeah, because my general concern is there are going to be things that you're going to tell us not only about things that we've done in the past, but maybe we shouldn't have done, but there's some things, pitfalls that we need to avoid in the future that need to be kept within that purview of confidentiality, and to include additional people in all of those, I think, is not a good thing. County Attorney Hart said, yeah, we're looking at a lot of little issues that really aren't related to best value, but while we're in there fixing it, you know, these are issues that have been reoccurring and so we're looking at that too to see how those fit with it. So some of the issues that we might talk about really don't relate to the best value, but relate to our purchasing context ordinance and we've come up with several different little wrinkles that we want to look at.

Mr. James said, yes, that's correct. So, just quickly, let me get through this because I know that Dr. Thomas needs to go. Conclusion number three is that the selection of a bid other than the low bid should be avoided if the County uses a two-envelope system, and very simply what we're suggesting is that we create a two-envelope system for bid submissions on this pilot project. That one envelope would be regarding these responsibility criteria and if you don't meet those criteria, then you don't even get to the point of your price being considered, and your price being in that second envelope, and hopefully by that —, by using that kind of a system, you would avoid the accusation, the potential accusation that you would —, that you had considered a —, that you'd taken a bid other than the lowest responsible bidder because you'd passed on responsibility in enveloped one. But again, that envelope one process needs to be conducted without arbitrariness and equally for all bidders, meaning that we do need to be transparent in whatever those requirements are, whether we, you know, it's broad or narrow as we decide they're going to be. Those criteria need to be transparent so that —, and they need to be applied equally.

Mr. James said, just quickly, the proposed scorecard criteria, and this list was essentially generated as a result of our meeting with Trades and Labor, as well as, you know, my review of the minutes from that April 16th meeting and some of the issues that the Commissioners brought up. These proposed scorecard criteria still need a lot of definition and I'll talk about that, but there are ten proposed criteria for the scorecard. Number one is health insurance —, and they're in no particular order. One is health insurance for employees; two is adherence to prevailing wage standards; three is on the job training; four, employee safety training; five, employee drug testing; six, experience of contractor; seven, bonding capability; eight, utilization of local labor; nine, provision of an employee pension or some type of retirement plan for employees; and ten is adherence to the County MWBE subcontracting goals. Several of these criteria are going to need much more definition and specificity and how we actually apply them. And the highlighted ones here are health insurance, adherence to prevailing wage standards, employee safety training, employee drug testing, utilization of local labor, and provision of retirement plans. And that just simply means that we need to think a little bit more about what it is exactly that we mean by that. If we say health insurance, you know, what do we need to —, what do we mean by that? Do we mean major medical, do we mean emergency service, do we mean full scale care up to mental health coverage, dental, eye coverage? We need to have a real discussion about what it is that we mean by that and consider what kind of cost that that would incur for taxpayers. And the other issues are —, that need further definition are similar. We just need to sort of sit down with a working group among the staff and figure out, you know, what we mean and what level, what threshold of provision in these different benefits would be acceptable to the County.

Commissioner McMasters said, Mr. James. Mr. James said, yes. Commissioner McMasters said, in light of my prior comments, I would suggest that number six, experience, ought to be one of the highlighted ones simply because of the prior remarks that I made, and I'm sure that that —. Mr. James said, we'd be happy to consider further definition on the experience criteria.

Mr. James said, next steps, further things that need to be accomplished to complete the best value contracting portion of my project are simply that we need to work with a working group among the staff, and that working group should probably include the Assistant County Manager Mr. Monahan, Mr. Bungard, the County Engineer, Mr. Parson, who's the Director of Purchasing, Mr. Kaigler, Director of Human Resources, and Attorney Hart, and if I can work with a group of those individuals and sit down for, you know, one or two sessions, I think we ought to be able to work through some of the details on the scorecard and the criteria and be able to come back and present something that's workable to you. We want to establish those details in that working group and complete them in time for the issuance of the courthouse bid documents, and that project I understand is being prepared for architecture and engineering so there's still some time before the actual construction bid will go out, but we're pushing very hard to actually finish everything that's related to the MWBE consulting project, including the best value contracting piece before the end of the year. That's an aggressive goal. I think our contract expires in March or something of next year, but we're really pushing very hard to complete everything before the end of this calendar year. Do you have any questions?

Commissioner Odell said, one or two comments. One is I would like health insurance. Health insurance is kind of like when you pass the bar it says that you passed the bar. It doesn't say that it's the highest score, it just says it's the minimum score, and I'd like to see us do that to start off with the health insurance, that we don't have a plan that could be too costly that it would be prohibitive for a large number or smaller company, but they should have hospitalization and a reasonable deductible. I would like at some point for us to look at the ranges because as far as health insurance, there's an array of services that for a person 40 years old the range could vary from as much as \$200 to \$1,500 a month, it's depending on all the bells and whistles you put on it. I'd like to see a floor. This is with a minimum we must have and then in future years we'll work to try to fine tune it.

Vice Chairman Thomas recognized Commissioner McMasters.

Commissioner McMasters said, thank you, Dr. Thomas. Health [inaudible] is what —, the concept originally behind this best value genesis and pilot program really was an attempt, I believe, to try to make taxpayer SPLOST revenues do the most that they can to work smart, work smarter, try to keep as many of those local dollars in Chatham County and not going out of Chatham County if at all possible. So, greater efficiency and use of the money, keep the money local, and also if we can do that, we create a more level playing field for everyone in our community to participate in this, and the one thing that we discovered, Harris [Odell], and it was inadvertent, but our friends with Trades and Labor did not know of this presentation, which was scheduled for the last meeting, which you were unable to attend, and that's why I asked for consideration and received the postponement for two weeks and we had a very productive probably hour and a half long meeting this meeting in advance of this, and we discovered that these meetings of May 13th, 16th, 15th —, July 15th are —, the Trades and Labor people had valuable insight that might have been exchanged in those meetings. If we want this —, Mr. James talks about a certain expeditiousness that we want to move with on this best value pilot project to catch up with the courthouse timetables, and everyone pretty much agreed that since there's so much information to be exchanged in defining these scorecards and working this into a proper legal position, that Trades and Labor, in addition to regular updates, ought to receive an invitation to attend scorecard criteria meetings that are not legally sensitive, that are —, if they're multipurpose meetings, they can participate only in the portions that their insight would be usable and staff agreed that this could be done and would be helpful. So I don't know if I need to put this in the form of a motion, I'd be happy to do so and I'll do that and that would be —. Commissioner Odell said, talk about it just a little bit more. Commissioner McMasters said, okay, sure.

Commissioner Odell said, I think if they need to be there, I don't want staff to believe that we can't have a meeting and discuss this unless they're there. That ain't going to happen. Commissioner McMasters said, no, no, no. I qualified that, Harris [Odell]. I said when applicable, when useful. Commissioner Odell said, okay. Commissioner McMasters said, when appropriate that we have a chance to exchange information and create a scorecard that really, really works. We're going to have —, they're going to have the opportunity to see it at the end anyway, but instead of waiting until the end to kind of

unwrap it, let's get them happy, if possible, all along the way so it moves faster. Commissioner Odell said, I agree. I don't have a problem with that.

Vice Chairman Thomas asked, Commissioner McMasters, when you say they, you're not talking about a full spectrum of representatives —? Commissioner McMasters said, no, no. Vice Chairman Thomas asked, — you're talking about? Commissioner McMasters said, Dr. Thomas, we discussed this and one person will be the point of contact lead person in this exchange. Vice Chairman Thomas said, okay.

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

Commissioner Rivers said, Madam Chair, I —, you know, I'm only questioning whether the union —, wherever the union needs to be I think they should be. I don't think that, you know, you need to have them dotting every "i" or crossing every "t", but wherever they have a problem or some reservation of what we've prepared, then we need to work in consulting with them, they should be consulted. County Attorney Hart said, our intention is to try and make this thing move along as expeditiously as possible and we certainly welcome input from anybody that has valuable information, and once we get it down into some sort of draft form where we feel like we've got a working document to at least go from, we have no problem with anybody commenting on the document whether it be the Trades or the Chamber of Commerce or whoever wants to comment on it, and I don't know of any intent on anybody's part to exclude anyone from anything. There are some issues though that occasionally we do have to get together and talk. Mr. James has been a real pleasure to work with in this. You know, putting one of these together is the devil's in the details and Mr. James had been a great devil's advocate on a lot of these policy issues when we start thinking about, well, let's do this and then trying to figure out how it would work in the real world. So once we come up with some sort of format, working document, subject matter, you know, we don't have any problem with anybody commenting on it. We invite the Commissioners to comment on it. It's going to be your policy. Mr. James said, I agree with that.

Commissioner Rivers said, Madam Chair, I would be concerned about two areas that I think we really need to look at and one is bonding to make sure that we're protecting the smaller contractor and also the insurance piece where we don't lock anybody out. I think that even the unions and everybody should sit down and come up with a viable plan, how do we make everybody inclusive of the bids and how we hold these bids within Chatham County where at all possible. Mr. James said, yes sir, and the bonding requirements for any contract —, for any construction project over \$100,000 are really set by State law. Now, you know, the Commission might consider doing something to assist small contractors with achieving their bonds. I know in Fulton County they have a —, Fulton County has a program to assist with small —, for smaller companies to help them with getting surety coverage, and so that's something that you may want to consider, but we are a bit constrained by the State law on construction projects over \$100,000 and certain types of bonds that are just required. But I definitely understand your concern, Commissioner, and that is a —, that's one of the primary challenges that small companies, particularly minority-owned companies have in participating on government contracts is that bond capability, and so that's something that we're going to try to come up with a creative recommendation for the Commission on how to assist and make sure that —, assist those companies and make sure that they have every opportunity to participate despite those requirements.

Commissioner Thomas said, Commissioner Murray, and I hope we'll be able to wrap this up.

Commissioner Murray said, yeah, the only thing I was going to say is Commissioner McMasters wanted to know if we need a motion or not. I really don't think we need a motion for that. It was agreed upon in y'all's meeting and I feel like Mr. James and staff will all follow through with that and invite them to appropriate meetings when, in fact, these items will be discussed. I just don't think we need a motion doing that. I mean, the consensus of this Commission is already there.

Commissioner McMasters said, let me respond. The discussions that we had in our meeting, as I'm hearing it now, are a little different. Correct me if I'm wrong, but we're now suggesting today that what Trades and Labor would receive are regular updates. Mr. James said, well, that's what I remember the Assistant County Manager saying that he would agree to do is to provide regular updates, and if there are any specific meetings that it would be appropriate to invite an outside group to, then I'd be happy to do that. I mean, as your —, I serve a dual role. I serve a role as a counsel and I also serve a role as a consultant, and regardless of role, I don't know that I would recommend in every working group, in every detailed discussion —. Commissioner McMasters said, Mr. James, I didn't suggest in every meeting. I never suggested today and in our meeting this week, did I ever suggest that an invitation be extended to every single opportunity and every single meeting? Do you remember me saying that? Mr. James said, I'm not sure —. Commissioner McMasters asked, did I say that? Mr. James said, I'm not sure that —, well, perhaps I'm just not —, I'm not understanding what it is that you're requesting. Commissioner McMasters said, I'll restate it. Whenever staff and you, as our consultant, deem it to not be legally sensitive and prohibitive or inappropriate, that is, on the converse, whenever you feel that the input is appropriate and valuable and useful —. Mr. James said, sure. Commissioner McMasters said, — that an invitation would be extended to the point person, single person, and if they chose to participate, fine. If they chose not to, at least the invitation was proffered. Mr. James said, I have no problem with that.

Commissioner Rivers asked, Madam Chairman, can we hear from the union what they feel is apropos and what would be acceptable to them and we can get past this impasse?

Vice Chairman Thomas said, okay, how many spokespersons do we have? One? Okay because after this I definitely am going to have to leave. I'm sorry, but I just have to leave. Mr. James said, thank you very much. Vice Chairman Thomas said, thank you, and you did a good job. We appreciate your patience. Mr. James said, I appreciate it. Thank you. Vice Chairman Thomas recognized Mr. Hume.

Mr. Brett Hume, Trades and Labor Assembly of Savannah. I want to thank Mr. James on his excellent report. Quite impressed. The purpose of this is we want to do it right because our initial conversation with the County Manager to let this go down the road as, not only a pilot program, but a procedural, for every purchasing agent throughout our region if we do it right. To be in attendance at every meeting is ludicrous. That's a given. We don't have the time. Y'all got plenty of other topics. However, let me use the example of when the Americans With Disabilities came and posed legislation to make ramps available to accommodate them, well, obviously they had some input into the degree of the ramps or pitch and the physics and all that because of the wheelchairs. The point being is, you would want input from those that are disenfranchised the most. The non-price factors that he pointed to on the scorecard, we have some of the most and longest history and knowledge about. So input is what we're looking for. Sure, we're anxious, we want to get this thing started, but let me give you a closer-to-home example of input. You mentioned, Commissioner Odell, insurance. The County already has prevailing wage, but further language in the Davis-Bacon Act, which coverages the prevailing wage constitutes in lieu of health benefits a per hour wage or stipend, for lack of a better word. So we are in total agreement that a lot of these categories need more specificity, more definition, but I want to commend Mr. James and the County staff for getting this far because we're well on the way and we just want to continue to make this a successful pilot program that works for everybody because all eyes are on Savannah, Georgia. Augusta's looking at it, Brunswick and several others, Macon, they all want to see how we're going to do this. Thank you.

Commissioner Odell said, Brett [Hume], I think, listening to all of the Commission, although it may appear to be we were saying something different, I think we were all saying the same thing. Vice Chairman Thomas said, all on the same page. Commissioner Odell said, we want the input where the input is appropriate. I think that's what John [McMasters] was saying. Mr. Hume said, sure. I didn't want you to think that we were demanding inclusion. Commissioner Odell said, not you were demanding.

Commissioner Rivers said, basically we want to get in there what we need to get in there to make this a good model. Mr. Hume said, agreed. Commissioner Odell said, right. Mr. Hume said, agreed. Thank you.

Vice Chairman Thomas said, thank you so very much and we really appreciate your support, you know, in helping to make this what we would like to have it to be, and that's what it's all about and I think we're all on the same page at this point. Thank you so much.

ACTION OF THE BOARD:

Commissioner Murray moved to untable this item for consideration by the Commissioners. Commissioners McMasters and Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Gellatly were not present when this vote was taken.]

=====

3. RECONSIDERATION REQUESTED BY COMMISSIONER KICKLIGHTER OF SWEET DREAMS ICE CREAM, INC., CONTRACT.

Chairman Hair said, I need a motion for reconsideration. Commissioner Kicklighter said, I make a motion for reconsideration. Chairman Hair asked, second? Commissioner Murray said, second. Chairman Hair said, all those in favor of reconsideration vote yes, opposed no. The motion carried unanimously. [NOTE: Commissioner Gellatly was not present.]

Commissioner Kicklighter said, I make a motion to approve the renewal of the contract with Sweet Dreams Ice Cream, Inc. 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 Gellatly was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Kicklighter made a motion for reconsideration. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

Commissioner Kicklighter moved to approve the renewal of the contract with Sweet Dreams Ice Cream, Inc., for the concession, custodial and security services at the Tybee Pier and Pavilion. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

=====

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 NEW ORGANIZATION UNIT TO ACCOUNT FOR THE ANNUAL APPROPRIATION TO THE BAMBOO FARM AND COASTAL GARDENS.

Chairman Hair said, I'll entertain a motion.

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

ACTION OF THE BOARD:

Commissioner Murray moved to approve a new organization unit to account for the annual appropriation to the Bamboo Farm and Coastal Gardens. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

=====

2. STATUS ON GDOT BRIDGE REPORT, SPECIFICALLY WOODEN STRUCTURES ON OLD HIGHWAY 204.

Chairman Hair said, I think we pretty much did that in pre-meeting. Does anybody have any other questions?

County Manager Abolt said, very quickly, Dr. Hair, if we may. We need guidance. First of all, we had assumed you'd want to repair this wooden structure. If that's something that's correct, then we need a motion today to award a contract that must be preceded with the source of revenue. In both cases staff has provided you choices. From the standpoint of revenue, Ms. Cramer has identified what amounts to a total of \$146,000. The bids that came in, that came in later than the —.

Chairman Hair said, we have a motion for approval. We need to clarify which source of money you want. Commissioner Murray asked, what sources are recommended in there? County Manager Abolt said, okay, you —. Commissioner Rayno said, in pre-meeting we talked about using the SSD —. Commissioner Murray said, that's right. Chairman Hair said, that's the one that he's —. Commissioner Murray said, — [inaudible] included in that because the total now —, the estimate's 112,000 something. County Manager Abolt said, that's correct, sir. Commissioner Murray said, that's the motion. County Manager Abolt said, so you —. Commissioner Rayno said, reduce the 85,000 by the appropriate amount.

Chairman Hair said, correct. That's correct. Do I have a second? Commissioner Kicklighter said, second. Chairman Hair said, all —, a question by Commissioner McMasters.

Commissioner McMasters asked, was this bridge identified to us by staff in the most recent round of SPLOST? County Manager Abolt said, sir, it's been identified for years. This is one of those 21 bridges in the unfunded CIP that needs repairs.

Chairman Hair said, all those in favor vote yes —.

Commissioner McMasters said, I'd like to know a little bit more, Russ [Abolt], about how many bridges were identified —. County Manager Abolt said, 21. Commissioner McMasters said, — for consideration in SPLOST, and this was not —. County Manager Abolt said, no sir, but you would —, two different things. You had the issue of repair, which this is a repair issue, versus the 21 bridges plus the three identified in the budget message. There's a general allocation in SPLOST for new bridges, not construction replacement. Commissioner McMasters said, I —. County Manager Abolt said, we'll be employing that strategy as far as these —, this location given what you might tell us later on in the agenda. Commissioner McMasters said, my point here, Russ [Abolt], I understand that SPLOST cannot be used for repair. I understand it has to be new construction. This bridge in the pre-meeting we discussed was repaired just two years ago at great expense and everyone seemed to agree that future repair of substantial amount was going to be needed, so why was this bridge not perhaps identified for replacement since we're fixing and fixing and fixing? County Manager Abolt said, sir, the general allocation for bridges is just that, knowing that we've got a very large problem repairing certain bridges. We have run into problems when GDOT says the repair situation has gotten so out of hand you have to close it. So when you look at the total needs of the County, over a million dollars, you also then are looking at the use of SPLOST to build new bridges, and that is your option. You cannot use the SPLOST money to repair this bridge.

Chairman Hair said, this is also an Executive Session item. I think we need to be careful what we say. Okay, I have a motion. Do I have a second? Commissioner Kicklighter said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. [NOTE: Commissioner Gellatly was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved to approve the award of a contract to Ansley Sutton Construction Company to make priority repairs in the amount of \$112,000 to a wooden bridge on Old Highway 204 and that the resources be taken from the following potentially-available funds within the Capital Improvement Fund: Remaining from Helicopter purchase - \$21,000; Bloomingdale Bridge project - \$40,000; and CIP SSD Contingency - \$51,000. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

=====

3. LATEST INFORMATION REGARDING LIQUOR LICENSE APPLICATION, MS. SINGH.

Chairman Hair recognized County Manager Abolt. Wasn't that in the [inaudible] and be back on our agenda for September 10th?

Chairman Hair said, what the Chairman has done and again she'll probably be before you on the —, September 10th.

Chairman Hair said, September 10th. Okay.

ACTION OF THE BOARD:

No action was taken. This item was presented as information only with the announcement that this will probably be on the agenda for action on September 10, 2004.

=====

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, okay, Action Calendar. I need clarification first on #10 as to who to contract with. Is it ASALAH or is it the W. W. Law Center? Commissioner Odell said, it's the W. W. Law Foundation, Incorporated, and colleague Dolly Chisholm is —. Chairman Hair said, we just need to know for contract purposes. County Attorney Hart said, that's right. That's all I need to know. Chairman Hair asked, is that W. W. Law Foundation Center? Is that the correct —. Commissioner Odell said, W. W. Law Foundation, Inc. Chairman Hair said, Inc. Okay. W. W. Law Foundation, Inc.

Chairman Hair said, we need to pull off Items 3 and 4 and I'll entertain a motion to approve the balance of the Action Calendar. Commissioner Thomas said, so moved, Mr. Chairman. Commissioner Rivers said, second. Chairman Hair said, all right. Thank you. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Gellatly was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Thomas moved that the Action Calendar be approved in its entirety with the exception of Items 3 and 4. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

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

=====

1. APPROVAL OF THE MINUTES FOR THE PRE-MEETING AND REGULAR MEETING OF AUGUST 13, 2004, AS MAILED.**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the minutes for the pre-meeting and regular meeting of August 13, 2004, as mailed. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

=====

2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD AUGUST 5 THROUGH AUGUST 18, 2004.

ACTION OF THE BOARD:

Commissioner Thomas moved that the Finance Director is authorized to pay claims for the period August 5, 2004, through August 18, 2004, in the amount of \$3,028,935. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

=====

**3. REQUEST BOARD APPROVE ACCEPTANCE OF THE MAINTENANCE AND ENERGY COSTS FOR A TRAFFIC SIGNAL ON MONTGOMERY CROSS ROAD AT THE VARNEDOE DRIVE/WAL-MART'S DRIVEWAY.
[DISTRICTS 1 AND 3.]**

Chairman Hair said, we have two pulled off by Commissioner McMasters. The first is Item 3. Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, my apologies. It was actually number four that I needed.

Chairman Hair said, okay. I need a motion to approve Item 3. Commissioner McMasters said, motion to approve. Commissioner Murray said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Gellatly was not present.] Chairman Hair said, the motion passes. The Clerk asked, who seconded that? Chairman Hair said, Commissioner Murray.

ACTION OF THE BOARD:

Commissioner McMasters moved to approve the acceptance of the maintenance and energy costs for a traffic signal on Montgomery Cross Road at the Varnedoe Drive/Wall-Mart's Driveway. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

=====

**4. REQUEST FROM ENGINEER FOR THE DEVELOPER, GENESIS DESIGNER HOMES, TO RECORD THE SUBDIVISION PLAT FOR THE ENCLAVE, PHASE 1A, ACCEPT THE SUBDIVISION AGREEMENT AND FINANCIAL GUARANTEE AND WAIVE THE REQUIREMENT FOR A STREETLIGHT ASSESSMENT DISTRICT.
[DISTRICT 7.]**

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, thank you, Mr. Chairman. My question is for staff and this issue, as identified in the agenda materials, says record the subdivision plat, accept the subdivision agreement and financial guarantee and waive the streetlight assessment district. Can staff explain why we're waiving the streetlight district. County Manager Abolt said, see, it says Homeowner's Association would take that over. Commissioner McMasters said, it says in number four, it was the builders intent to have the Homeowner's Association maintain the streetlights, it does not talk about creating the streetlights. There's a difference between the two, I think.

Commissioner Kicklighter said, this is pretty standard in all these new subdivisions the way this —.

Chairman Hair said, Mr. Bungard, would you clarify that. County Engineer Bungard said, I'm not sure I understand the question, except —. Chairman Hair said, I think he's saying that this covers the maintenance of it, but not the building. Is that your comment? Commissioner McMasters said, that that —. Chairman Hair said, not the actual creation of the streetlights, but the maintenance of the streetlights. Is that what you're saying?

Commissioner McMasters said, that's correct. Who's going to build the streetlights? County Engineer Bungard said, the developer. Commissioner McMasters asked, and we're not waiving that? Commissioner Murray said, he puts the streetlights in. Chairman Hair said, the developer and they maintain —. County Engineer Bungard said, the developer constructs the streetlights and then the Homeowner's Association will maintain them. Chairman Hair said, maintain them. County Engineer Bungard said, and they'll pay the utility bills. Commissioner McMasters asked, well, why would it say then that we —, this petition, this issue is to waive the requirement for a streetlight assessment district? County Manager Abolt said, well, what you do —. Chairman Hair said, we've got —. Ms. Suzanne Cooler said, it's waiving the requirement for the assessment, not for the streetlights. Commissioner Murray said, what you normally do —. Ms. Cooler said, the assessment, which is what we charge. Each property owner is charged an assessment for the streetlights. Commissioner McMasters said, okay, I'm with you. We're not going to drop the streetlighting district for this new subdivision. Ms. Cooler said, no. Commissioner McMasters said, okay.

Chairman Hair said, I'll entertain a motion to approve. 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: Commissioners Rivers and Gellatly were not present when this vote was taken.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the request from engineer for the developer, Genesis Designer Homes, to record the subdivision plat for the Enclave, Phase 1A, accept the subdivision agreement and financial guarantee and waive the requirement for a streetlight assessment district. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Gellatly were not present when this vote was taken.]

=====

- 5. **REQUEST BOARD ACCEPT A QUITCLAIM DEED AND EASEMENT AGREEMENT (PARCELS 16 AND 16B) BETWEEN CHATHAM COUNTY AND THE CITY OF SAVANNAH, AND TO ACCEPT AN EASEMENT AGREEMENT (PARCEL 17) BETWEEN CHATHAM COUNTY AND THE RESOURCE RECOVERY DEVELOPMENT AUTHORITY FOR THE CITY OF SAVANNAH FOR THE HARDIN CANAL DRAINAGE IMPROVEMENT PROJECT. [DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Thomas moved to accept a quitclaim deed and easement agreement (Parcels 16 and 16B) between Chatham County and the City of Savannah, and to accept an easement agreement (Parcel 17) between Chatham County and the Resource Recovery Development Authority for the City of Savannah for the Hardin Canal Drainage Improvement Project. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

=====

- ~~6. **REQUEST BOARD APPROVE A PROJECT COORDINATION AGREEMENT IN THE AMOUNT OF \$390,000 BETWEEN THE DEPARTMENT OF THE ARMY AND CHATHAM COUNTY FOR THE QUACCO CANAL AQUATIC ECOSYSTEM RESTORATION PROJECT. [DISTRICT 7.]**~~

ACTION OF THE BOARD:

This item was removed from the agenda.

=====

- 7. **REQUEST FOR NEW BEER AND WINE RETAIL PACKAGE LICENSE FOR 2004. PETITIONER: PRATIKSHA R. PATEL, D/B/A EL CHEAPO, LOCATED AT 5920 OGEECHEE ROAD. [DISTRICT 6.]**

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the petition of Pratiksha R. Patel, d/b/a El Cheapo, located at 5920 Ogeechee Road, for a new beer and wine retail package license for 2004. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

=====

- 8. **REQUEST FOR TRANSFER OF BEER, WINE AND LIQUOR POURING AND SUNDAY SALES LICENSES. PETITIONER: ROBERT P. LESAGE, D/B/A RUBY TUESDAY RESTAURANT, LOCATED AT 590 AL HENDERSON BOULEVARD. [DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the petition of Robert P. LeSage, d/b/a Ruby Tuesday Restaurant, located at 590 Al Henderson Boulevard, for the transfer of beer, wine and liquor pouring and Sunday sales licenses. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

=====

9. REQUEST FOR NEW BEER AND WINE POURING AND SUNDAY SALES LICENSES FOR 2004. PETITIONER: LI ZHANG, D/B/A YUMMY HOUSE, LOCATED AT 111 JAZIE DRIVE, SUITE B. [DISTRICT 4.]

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the petition of Li Zhang, d/b/a Yummy House, located at 111 Jazie Drive, Suite B, for new beer and wine pouring and Sunday sales licenses for 2004. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

=====

10. REQUEST BOARD APPROVAL OF SPLOST DISTRIBUTION AGREEMENT BETWEEN CHATHAM COUNTY AND ASALAH ON BEHALF OF THE W. W. LAW CENTER.

ACTION OF THE BOARD:

Commissioner Thomas moved to approve a SPLOST distribution agreement between Chatham County and W. W. Law Foundation, Inc. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

=====

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

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. Contract for the removal and replacement of the fire alarm system at the Sheriff's complex	Sheriff	Coastal Empire Fire and Security	\$200,000	CIP - Sheriff's complex
B. Upgrade card access system	SPLOST	Simplex Grinnell (sole source)	\$35,600	SPLOST (1993-1998) - Juvenile Justice Center
C. Annual "as needed" contract with automatic renewal options for four additional one year terms for disaster restoration and recovery services for various County facilities	Finance	•Belfor USA (primary) •Servpro, Inc. (secondary)	•\$62 per hour •\$75 per hour	Reserve for catastrophic claims
D. Approve permanent aircraft liability and physical damage insurance coverage for the newly acquired 1987 McDonnell-Douglas 500E helicopter and place a new fixed wing pilot on the existing insurance coverage	Finance	HRH	\$22,950	Insurance and surety bond premiums
E. Contract for architectural and engineering services related to the Courthouse Annex Project	Courthouse Improvements	L. Scott Barnard and Associates (sole source)	\$110,000	Bond Fund - Phase I Old Jail Project

ACTION OF THE BOARD:

Commissioner Thomas moved to approve Items 11-A through 11-E. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

=====

XI. FIRST READINGS

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

None.

=====

XII. SECOND READINGS

1. AMENDMENT TO SECTION 12-602 OF THE COUNTY CODE TO CLARIFY THE APPLICATION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).

Chairman Hair said, I'll entertain a motion to approve. Commissioner Murray 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: Commissioners Rivers and Gellatly were not present.]

ACTION OF THE BOARD:

Commissioner Murray moved to approve an amendment to Section 12-602 of the Chatham County Code to clarify the application of the Manual on Uniform Traffic Control Devices (MUTCD). Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Gellatly were not present.]

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

MOTOR VEHICLES, ROADS, STREETS AND
HIGHWAYS ORDINANCE OF CHATHAM COUNTY

AN AMENDMENT TO THE MOTOR VEHICLES, ROADS, STREETS AND
HIGHWAYS ORDINANCE OF CHATHAM COUNTY

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

Section 12-602, "Amendments," is stricken and a new Section 12-602 is adopted.

Stricken § 12-602

"Amendments. Because the MUTCD is State-wide law, future amendments to the Manual on Uniform Traffic Control Devices accepted by the State of Georgia shall be adopted automatically by Chatham County on the same date of the State adoption by reference and without further action by the Board of Commissioners."

Adopted New § 12-602

"Amendments. "Future amendments to the MUTCD shall be adopted automatically by Chatham County and without further action by the Board of Commissioners."

ADOPTED AND APPROVED, this ____ day of _____, 2004.

Dr. Billy B. Hair, Chairman
Chatham County Commission

Sybil Tillman, Clerk
Chatham County Commission

[SEAL]

=====

XIII. INFORMATION CALENDAR**1. PROGRESS REPORT ON GENERAL FUND CONTINGENCY ACCOUNT - M&O AND THE SPECIAL SERVICE DISTRICT (SEE ATTACHED).****ACTION OF THE BOARD:**

A written report was received as information.

=====

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

A written report was received as information.

=====

3. ROADS AND DRAINAGE REPORTS.**ACTION OF THE BOARD:**

A written report was received as information.

Roads Report

AGENDA ITEM: XIII-3

DATE: August 27, 2004

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: A. G. Bungard, P.E., County Engineer

ISSUE: To provide information on the status of Chatham County road projects.

BACKGROUND: The schedules for construction are dictated by the GDOT, the allocations of funds among the Congressional districts and balancing of the Chatham Urban Transportation Study (CUTS) Transportation Improvement Program (TIP). The CUTS TIP is the process of being updated for approval by the CUTS Policy Committee in September. The construction dates in the table reflect the dates being proposed. Key milestone events are summarized in the attached table.

FACTS AND FINDING:**1. Truman Parkway.**

a. Phase 3. The main line from DeRenne Avenue to Eisenhower was opened to traffic March 19. GDOT still does not have a new schedule with the contractor to complete Phase 3 from Eisenhower to Montgomery Cross Road. GDOT staff projects completion about November 2004.

b. Phase 4. Construction continues on the bridge at Montgomery Cross Road and on the roadway to Whitfield Avenue. GDOT is working on a new contract completion date.

c. Phase 5. The Local Government Project Agreement (LGPA) was approved by the GDOT on September 11, 2001. Design is underway. Based on an analysis of alternatives for terminating Phase 5 at Abercorn, the Concept Report was revised to tie into Abercorn with an at-grade intersection instead of a bridge over Abercorn. The concept team meeting was held on September 24, 2003, in Atlanta. In the meantime, the FHWA required that GDOT conduct a Value Engineering Study (VE) because the project cost will be over \$25M. GDOT staff are reviewing comments and finalizing report to FHWA. Staff has asked for a projected timeline. In accordance with the Plan Development Process, an approved Concept Report is a prerequisite to finalizing the Preliminary Design and Right of Way plans.

2. Jimmy DeLoach Parkway, Phase 2 (I-16 to US 80). The Final EA with a Finding of No Significant Impact (EA/FONSI) was forwarded to the GDOT on November 10, 2003, and is pending FHWA approval. This project will be re-programmed to 2007 in the TIP update.

3. US 17, Ogeechee River to SR 204: Under construction. Scheduled completion date is December 25, 2004. According to GDOT, however, plan changes and a lot of additional mucking of unsuitable material will delay the completion until May of 2005.

4. Middleground Road/Montgomery Cross Road Widening. GDOT opened bids for a construction contract on May 21. Despite the low bid being much higher than the GDOT estimate and the past performance in Chatham County, the GDOT awarded the contract to APAC. Clearing and grubbing is underway on the project. Scheduled completion is May 31, 2006.

5. Stephenson Avenue. Under construction. Storm drain work is 80% complete and water line work is 95% complete. Installation of the lateral lines for the new sanitary sewer continues. The laterals between Waters Ave. and Hodgson Memorial are complete. There are nine more laterals to be installed between Hodgson Memorial and Abercorn. These were scheduled to be completed by June 30, 2004, but APAC did not make that date. The subcontractor now has 2 crews working to complete this work. As a result of their failure to meet the new schedule, the County Engineer refused to grant a retainage reduction request from 10% to 5% (\$123,536 reduction not granted) of the completed work. Until such time as they can catch up to the new schedule, the retainage will remain at 10%. APAC estimates that the sanitary sewer work will be completed by August 31, 2004. When the sanitary sewer work is complete this will allow fine grading and asphalt paving to begin on the north side of the road in preparation for a traffic shift to that side. Curbing work is about 50% complete. Approximately 50% of the new driveways have been installed on the north side of the road but some were incorrectly installed and will have to be torn out and re-paved. Forty percent of the graded aggregate base is in place.

On April 30, 2004, the Board approved a change order to finish the project using a different staging plan and reconciling all known disputes to date with the contractor. The scheduled completion is now November 30, 2004. Commissioner Linnenkohl has been asked to convince APAC to complete this project as promised.

6. Skidaway Widening: The FHWA approved the EA on March 5, 2003, for advancement to public hearing. The public hearing was held May 13. The GDOT mailed responses (undated) to citizens comments in December 2003. The Final EA with a FONSI was forwarded to the GDOT on November 26, 2003. The Final EA is pending FHWA approval.

7. Whitfield Avenue Widening. The FHWA approved the EA/FONSI on February 13, 2004. The County is now authorized to proceed with preliminary design. When the preliminary design is approved, right of way plans can be prepared. The consultant completed preliminary design in June. By letter dated June 30, 2004, the GDOT is now requiring that the preliminary design include the landscaping before scheduling the Preliminary Field Plan Review (PFPR).

8. Diamond Causeway Widening. Consultant submitted a revised Draft EA to GDOT on October 24, 2002. The GDOT endorsed the EA to the FHWA for review on November 19, requesting comments by December 31, 2002. Received minor review comments from FHWA dated March 7, 2003, part of which required an amendment to CUTS TIP to comply with the justification for logical termini. The amendment to the TIP was approved at the CUTS Policy Committee meeting on July 23, 2003. Staff is awaiting approval by the FHWA to advance to public hearing. Staff was advised on November 13, 2003, that the FHWA sent the Draft EA to the U.S. Coast Guard for coordination. FHWA recently advised that approval of the draft EA by FHWA will be forthcoming shortly.

9. US 80/SR26

a. Lynes Parkway to Victory Drive. The GDOT is doing the EA and working with the City of Savannah on the impacts of the project in the vicinity of the Springfield Canal. In the meantime, the County has completed all early acquisitions and removed improvements on the properties.

b. Bull River to Lazaretto Creek. GDOT is working on the EA. Programmed in 2010.

10. White Bluff/Coffee Bluff Road. After many reviews and revisions ... the GDOT forwarded the Draft EA to the FHWA for review on September 30, 2002. Staff received lengthy comments from FHWA on January 22, 2003. The original concept for the project was to improve White Bluff Road from near Windsor Road to Old Mill Subdivision to be a four lane divided roadway and to improve Coffee Bluff from Old Mill Subdivision southward to near the Little Ogeechee River to be a three lane section. The need and purpose for the project were based on capacity and safety improvements, and to provide an improved hurricane evacuation route. A teleconference was held with the FHWA, GDOT and County on April 15, 2003. It was agreed that the proposed improvements south of Old Mill Subdivision would be reevaluated for need. Based on the reevaluation and the coordination with FHWA staff, it was determined that widening to three lanes south of Felt Drive was not warranted. The project does propose improvements to the two lane section south of Felt Drive. After concurrence by the City of Savannah in August, the County's consultant revised the Need and Purpose Section of the EA and resubmitted to GDOT on October 16, 2003, and forwarded to the FHWA in December 2003. On April 13, 2004, the GDOT was notified by the FHWA that (among other items) the traffic analysis for the Need and Purpose "does not seem to warrant" expansion to four lanes in any section along the corridor. The FHWA is asking for additional justification. A Public Information Open House (PIOH) was held on August 12, at the Windsor Forest Baptist Church to solicit public input on the project.

11. Eisenhower Widening from Abercorn to Truman Parkway. The original concept report was prepared based on project termini in the CUTS TIP. On December 21, 2001, Board approved extending the scope of the project from Waters Avenue to Truman Parkway. The concept meeting with GDOT and City of Savannah was held September 16, 2002. A revised concept report was submitted for review to the GDOT on July 25, 2003. The field surveys and property research are complete. A revised Concept Report was sent to GDOT on January 15, 2004.

12. Abercorn Widening from Largo Drive to Rio Road. The concept meeting with GDOT and City of Savannah held September 16, 2002. When the concept report is approved, preliminary design can start. The Concept Report has been revised to reflect the changed terminus from Deerfield Road to Largo Drive and was sent to GDOT on June 28, 2004. This project is affected by two other projects currently under design. This project is being coordinated with the projects to improve the intersections at Largo Drive and at the terminus of Truman, Phase 5, at Abercorn.

13. Bay Street Widening from I-516 to Bay Street Viaduct. Consultant and County staff hosted coordination meetings on December 10 and 11 with City of Savannah staff and sub-consultants. Letters

were sent to potentially affected property owners. Follow-up meetings were held on January 7, 2004, with City of Savannah staff to coordinate the public involvement process and begin the concept development process. On February 24 the County's consultant and City and County staffs met with residents of Hudson Hill, the West Savannah Community and representatives of local businesses. Collection of field survey, property and utility location data continues. A Public Information Open House is scheduled for August 24 at the Moses Jackson Community Center.

14. Local Roads

a. Benton Boulevard, Phase 2 Extension (Spur 21). Under construction. This project is being funded by a County Contract with GDOT. The local matching funds are being provided by the Branigar Organization. The County is providing administrative services only. The asphalt finish topping is complete and most of the striping is complete. Some sidewalk, signing, clean up and a stand of grass remains to be done.

b. Central Avenue (West), Leghorn, Billings, Ridgewood and Fallowfield Drive. Fallowfield Drive is complete. Ridgewood Avenue and Central Avenue (West) are substantially complete. Installation of storm drain piping on Leghorn and Billings is complete. Work on curbing is essentially complete. Relocation of Bell South and Comcast lines to the new power poles continue to prevent the installation of the graded aggregate base. Estimated completion is September 2004.

c. Southwest Middle School Entrance Road from U.S. 17. Construction started on May 18, 2004. Being built by County Contract with the GDOT. By Intergovernmental Agreement, the construction costs are being paid by the School Board and the GDOT. The County is managing the contract. Due to power pole relocation delays, grading on the roadway has stopped. Power poles are expected to be relocated in two or three weeks. Contractor is working on paving sidewalks. Estimated completion date is November 2004.

RECOMMENDATION: For information.

Districts: All

SUMMARY OF ROAD PROJECT STATUS
August 2004

PROJECT	ELEMENT	MILESTONE FOR COMPLETION	AGENCY RESPONSIBLE	NOTES
Truman Parkway, Ph 3-A	Construction	Nov 2004	GDOT	
Truman Parkway, Ph 4	Construction	Oct 2005	GDOT	
Truman Parkway, Ph 5	Environmenta Design ROW Construction	Complete Sep 2004 June 2007	County County/GDOT GDOT	EIS approved 8/12/99 VE Study at GDOT FY 2005 CST LR
US 17 Widening - Ogeechee River to SR204	Construction	May 2005	GDOT	
Stephenson Avenue Widening	Construction	Nov 2004	County/GDOT	
Middleground/Montgomery Cross Road Widening	Construction	May 2006	GDOT	Awarded to APAC May 28.
Jimmy DeLoach Pkwy, Ph 2	Environmenta ROW Construction	Unknown	County County GDOT	Final EA at GDOT/FHWA CST FY 2007
Whitfield Avenue Widening	Environmenta Design ROW Construction	Feb 2004 Sept 2004	County County County/GDOT GDOT	EA/FONSI signed Feb 13 Preliminary plans. ROW funded FY2005/06 CST FY 2007
Diamond Causeway Widening	Environmenta ROW Construction	Unknown	County GDOT GDOT	Draft EA at FHWA FY 2008 CST LR
Skidaway Road Widening	Environmenta ROW Construction	Unknown	County County GDOT	Final EA at GDOT/FHWA CST LR
US 80 Widening - Bull River to Lazaretto Creek - I-516 to Victory Drive	Environmenta Environmenta 	Unknown Unknown	GDOT GDOT	CST FY 2010 CST FY 2007
White Bluff/Coffee Bluff	Environmenta 	Unknown	County	CST FY 2008

Eisenhower (Abercorn to Truman Parkway)	Environmenta I		County	Concept Report pending approval.
Abercorn (Largo Drive to Rio Road)	Environmenta I		County	Concept Report pending approval.
Bay Street from I-516 to Viaduct	Environmenta I	Mar 2005	County	
NOTES: CST = FY in which the projects are programmed for construction in the Proposed CUTS 2005-2007 TIP.				

Drainage Report

AGENDA ITEM XIII-3
DATE: August 27, 2004

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: A. G. Bungard, P.E., County Engineer

ISSUE: To provide information on the status of Chatham County drainage projects.

BACKGROUND: For construction contracts that have been awarded, this report provides the latest scheduled completion dates. For projects pending environmental permits, start dates are best estimates. All project scopes include varying degrees of canal widening, bank stabilization, larger bridges and culverts.

FACTS AND FINDING:

1. Pipemakers Canal
 - a. Phase 1 (From the outfall at Savannah River to SR 21). Double channel size, replace bridges, replace tidegate, and provide maintenance access.
 - i. The County awarded the contract for construction to Phoenix Construction on July 25, 2003 and Change Order No. 1 was approved by the Board in February 2004.
 - ii. Replacement of the trash racks as a Change Order No. 2 has been designed by the consultant and is being priced by the contractor. Staff expects to bring a negotiated price to the Board for approval at the September 10, 2004 Commission Meeting.
 - iii. Construction progress is considered to be on schedule. The completion date is January 2005.
 - b. Phase 2 (From SR 21 to I-95).
 - i. Staff continues to pursue additional rights-of-way for permanent access to the area west of SR 25. Work is underway to establish fair market values for the needed acquisitions in the area adjacent to SR 21.
 - ii. Work has started on design of the canal relocation on airport property under the terms of an Intergovernmental Agreement with the Airport Authority.
 - c. Golf Course (section of Phase 2 on Airport property). Widening of this section of canal completed in 2000. Construction of a golf cart bridge over the canal obstructed access to a section of the canal. Staff has included resolution of this issue in the Intergovernmental Agreement described above for relocation of the canal.
 - d. Kahn Mitigation Site. The final mitigation package for Phase 2, which includes the Kahn Site. Design work completed includes the wetlands determination and the hydrologic report.
2. Hardin Canal
 - a. Phase 1 (From SR 307 to I-16). Widen channel and replace bridge crossings.
 - i. ROW and construction plans for the channel are complete. Revisions might be necessary as a result of negotiations for the permit from USACE. The permit from USACE is still pending.
 - ii. Staff anticipated permit approval this summer and has directed the County right of way consultant to begin the process of acquiring of canal ROW for the project.
 - iii. Acquisition of selected portions of the required rights of way in the vicinity of Dean Forest Road is underway.
 - b. Phase 2 (Crossing at SR307). Enlargement of crossing under Dean Forest Road (SR307) is included with the concept plan for widening SR307. Concept plan review with GDOT held on December 2, 2004. Pending approval by the GDOT. On August 19, the City of Savannah conveyed required access rights to the County for the channel and crossings at SR307.
 - c. Phase 3 (From I-16 to Pine Barren Road). Widen channel and construct a detention pond. No target construction date.
3. Westlake/Springfield Canal
 - a. Phase 1. Crossing and channel improvements from Perimeter Road on Hunter Army Airfield downstream toward the Forest River. Completed January 2002.
 - b. Phase 2. This phase consists of acquiring flood-prone properties and the additional land needed to provide additional stormwater retention in the area.
 - i. All appraisals are complete. The County has title to eight parcels, with an additional four parcels pending closing. Offers are pending on 14 parcels.

- ii. The CSX railroad undercrossing preliminary Design Report has been reviewed by Staff and returned to the Consultant for final corrections. Final design work will begin upon receipt of the corrected Design Report.
4. Placentia Canal
 - a. Phase 1. Tidegate at Bonaventure Road. Completed February 1999.
 - b. Phase 2. Crossing and channel widening from Bonaventure Road to Shell Road in Thunderbolt. Completed October, 2002. A small contract for improvements to correct drainage in a side yard near Victory Drive was finished in April 2004.
 - c. Additional work to correct a drainage problem along Tennessee Ave. and to improve the appearance of the canal near the Bonaventure Bridge is underway. Survey work has been completed. A preliminary design has been prepared, to be presented to property owners for comment prior to finalization of the plans.
5. Atlantic Creosote/Phillips Canal Widen/realign the canal, replace culvert, and replace tidegate. Project completed September 2002.
6. Conaway Branch Canal (tributary of Pipemakers Canal) Primarily widen channel with some road crossing improvements and a maintenance road. Project to be constructed in two phases.
 - a. Phase 1 includes channel improvements and crossing upgrades north of Main Street to Pipemakers Canal.
 - i. Analysis and recommendations are complete. Public information meeting held on May 21, 2001. Design of improvements complete based on public comments. Staff has reviewed preliminary construction drawings and returned to the consultant for corrections. At staff's directive, the consultant is evaluating an alternate upstream canal alignment. Hydraulic analysis of additional area as requested by City of Bloomingdale is in progress.
 - ii. Preliminary right of way plans are complete. Preliminary title searches are complete. The consultant is proceeding with wetlands permitting, coordination with GDOT for the crossing at Highway 80, and preparation of final right of way plans.
 - b. Phase 2 includes improvements to system south of Main Street to Hardin Canal. The plan to improve drainage south of Main Street will require an Intergovernmental Agreement with Bloomingdale.
7. Little Hurst Canal Improve undercrossings at SR 21 and railroad, and widen channel downstream of SR21. Hydraulic analysis and recommendations were completed in 1998. Review of these recommendations by a second consultant has been completed. Design consultant's recommendations include improvements at the railroad and minor canal improvements. This change is expected to result in a substantial cost savings to the County. Staff is pursuing the next phase which will include defining the required improvements at the railroad undercrossing.
8. Wilmington Park Canal
 - a. Phase 1. (Construction of tide gate) Completed September 2002.
 - b. Phase 2. Widen channel and improve culvert crossings under Clarendon, Winchester and Wilmington Island Road.
 - i. Received permit from USACE on July 5, 2002. Title searches of affected properties are complete. Design of City's force main is complete. Plans have been sent to the City for review.
 - ii. Revised right of way plans to accommodate additional easements for City's force main are complete.
 - c. Phase 3. Project limits have been identified.
9. Louisville Branch Canal (tributary of Pipemakers Canal) Provide maintenance road downstream of US80. Some preliminary work for design and permitting has been done, but this project is not accessible until the right-of-way is acquired for the Pipemakers Canal.
10. Kings Way Canal Widen channel and enlarge culverts east of Whitfield Avenue to Vernon River.
 - a. Improvements to crossing of the canal under Whitfield are being constructed as part of GDOT's Truman Parkway, Phase 4 project.
 - b. The draft Design Study Report has been submitted and is under review by Staff.
11. Grange Road Canal Coordination of the concept plan with GPA and Port Wentworth is on hold pending alignment and right-of-way issues on GPA property. Dedication of Savannah Electric power line easement along Grange Road has detrimental impact on the preferred route.
12. Talmadge Avenue Canal Small project that will involve acquiring right-of-way to construct a maintenance road and to make minor improvements to the channel. Preliminary right of way plats were completed in 1997. Staff has reviewed the completed work. Required improvements included upgrades to undercrossings, removal of obstructions and repair of erosion, additional rights of way, and re-establishing access to the canal for maintenance. Obstructions along the canal recently installed by the City of Garden City must be addressed. The obstructions prevent the County Department of Public Works from maintaining the these parts of the canal.
13. Romney Place Drainage
 - a. Phase 1. Improve drainage along Central Avenue. Completed October 2001.
 - b. Phase 2. Improve storm drains and road crossings. No target date.
14. Village Green Canal
 - a. Phase 1. Upgrade culvert under Cambridge Drive. Completed October 1999.

- b. Phase 2. Staff has accepted the consultant's recommendations for improvements. Staff has enlisted the help of Mosquito Control to establish project need and purpose to facilitate wetland permitting. Mosquito Control is currently investigating the site. Wetland delineation has been approved by the USACE. A citizen drainage survey to help establish project need and purpose for permitting is complete. Compiling of survey information is underway.
15. Port Industrial Park Increase the capacity of the crossing under State Route 307 and improve the channel downstream to Pipemakers Canal.
- a. The crossing under SR 307 is being coordinated with the GDOT proposed SR 307 widening project from R. B. Miller Road to SR21. Design of the project to improve the canal downstream from SR307 to Pipemakers Canal is complete. The wetlands permit has been signed by the County Engineer and was approved by USACE District Engineer on September 24, 2002.
 - b. Design changes requested by Staff intended to improve the hydraulic function of the system over the previous design have been submitted to GDOT for approval. To expedite the project, the County proposed to GDOT to include construction of the crossing under SR 307 as a County Contract. GDOT has concurred with this proposal. County is waiting on Letter of Agreement from GDOT to define County's project responsibilities and shall then proceed with obtaining a cost proposal for consulting services. Consultant has been directed to finalize design of remainder of project, to be possibly bid as separate project.
16. Louis Mills Canal Widen channel from Veterans Parkway downstream to outfall at Westlake Canal and improve crossing under Marshall Avenue.
- a. Staff has accepted recommendations to return a portion of the Redgate Canal drainage system back into the Rahn Dairy Canal. This recommendation allows for reduced drainage capacity needs in the Louis Mills Canal system.
 - b. Preliminary design and rights of way drawings have been received and are under review by Staff.
17. Redgate/Rahn Dairy (part of Louis Mills) This drainage improvement project will intercept approximately 400 acres of drainage area from the Louis Mills Canal system, and divert the flow directly into the Salt Creek. Preliminary survey work has been completed. Engineering analysis and preliminary recommendations are complete and under review by Staff. Design and permitting work will begin after the report is given final approval.
18. Diggs Avenue Drainage (part of Louis Mills) This drainage improvement project involves improving drainage at the east end of Diggs Avenue. Staff has concluded a preliminary analysis and determined that right of way is not available to perform needed improvements. This work is on hold pending completion of Title Searches on the affected properties.
19. Ogeechee Farms
- a. Phase 1. Improve internal collector system south of Vidalia Road. Construction contract was awarded in March 2004. Construction is underway. Additional work necessitated by site conditions is in progress. The additional work was approved by the Board at its meeting on August 13, 2004.
 - b. Phase 2.
 - i. The County has received the Section 404 wetlands permit from USACE. Final paperwork utilizing the County's new banking instrument for mitigation is complete.
 - ii. The design is being revised to incorporate changes including an additional road undercrossing in the project and installation of box culvert sections instead of multiple pipes.
 - iii. No target date for construction.
20. Fawcett Canal Phase 1 Widen channel and improve crossings from Georgetown downstream to crossing under Grove Point Road, and replace tide gate.
- a. Drainage improvements completed August 2002.
 - b. Project to improve lagoons is about 90 percent complete. The improvements principally involved restoration of the lagoon's appearance also included restoration of the drainage function. Staff is aware of many comments from residents regarding their appreciation of the project. Staff also notes that recent heavy rains did not result in drainage complaints that typically happened before this project.
21. Quacco Canal Improve Quacco Canal and associated road undercrossing capacity from Regency Mobile Home Park, near Interstate 95, beyond US 17 to marsh, including improvements to a private tidegate structure.
- a. The County and Corps of Engineers are partnering on engineering and construction of improvements.
 - b. The final Detailed Project Report has been reviewed by Staff. Design work by the USACE is anticipated to begin this fall pending approval of the Project Cooperation Agreement (PCA) by the Board.
22. Quacco/Regency Park Storm collector improvements to relieve severity and frequency of flooding within community. The draft Design Study Report has been reviewed by Staff and returned to the consultant for completion.
23. Halcyon Bluff Subdivision Storm collector improvements to relieve severity and frequency of flooding within community. The final design documents and rights of way plans have been provided to the County by the consultant. Permanent rights of way are needed from two properties. Temporary easements for construction access will be acquired from adjacent property owners in order to facilitate construction.
24. Golden Isles Subdivision Storm collector improvements to relieve severity and frequency of flooding within community.
- a. Phase 1. Outfall improvements completed 1997.
 - b. Phase 2. Improvements to collector system. Staff has completed review of the preliminary construction drawings. Consultant has been directed to proceed with preparation of right of way plans.
25. Henderson Channel and crossing improvements to alleviate flooding in the subdivision.

- a. Canal 1 (henceforth referred to as Brown Thrush Canal): Crossing and channel improvements on the canal parallel to Brown Thrush Road, from Al Henderson Blvd. to Little Neck Road. Survey and analysis are complete. Staff's review of consultant's final report is complete. Staff has requested Consultant for a fee proposal for design of recommendations.
 - b. Canal 2 (henceforth referred to as Henderson Canal): Provide maintenance road for canal from Gateway Blvd. to Little Neck Road, through wetlands. Wetland delineation has been approved by the USACE.
26. North Rice Mill Right of way acquisition services to provide for drainage improvements to a local drainage system tributary to the Georgetown Canal. Staff has directed the consultant to begin acquisition of right of way and easements based on a preliminary design developed by the County. Objections by a property owner over project alignment and rights of way on one parcel are being negotiated by Staff with the owner. Staff will obtain the services of a consultant to prepare the final design and plans needed for construction after the property owner's objections are resolved.
27. Georgetown Canal Upgrading roadway undercrossings to improve drainage capacity. Design for the replacement of the St. Ives undercrossing is completed. Acquisition of permanent and temporary construction easements is underway. Staff expects to be able to advertise for construction bids this fall, depending on timing of easement acquisitions.

RECOMMENDATION: For information.

Districts: All

Prepared by W.C. Uhl, P.E.

=====

EXECUTIVE SESSION

Upon motion being made by Commissioner Rivers, seconded by Commissioner Murray and unanimously approved, the Board recessed at 11:47 a.m., to go into Executive Session for the purpose of discussing litigation, land acquisition, and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 12:04 p.m.

=====

ITEMS FROM EXECUTIVE SESSION

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

ACTION OF THE BOARD:

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

=====

ADJOURNMENT

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 12:05 p.m.

=====

APPROVED: THIS _____ DAY OF _____, 2004

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

SYBIL E. TILLMAN, COUNTY CLERK