

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON MARCH 27, 1998, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.

I. CALL TO ORDER

Chairman Billy Hair called the meeting to order at 9:00 a.m., Friday, March 27, 1998.

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II. INVOCATION

Commissioner Harris Odell, Jr., gave the invocation.

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III. PLEDGE OF ALLEGIANCE

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

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IV. ROLL CALL

The Clerk called the roll.

PRESENT: Dr. Billy B. Hair, Chairman
Frank G. Murray, Chairman Pro Tem, District Four
David L. Saussy, District One
Joe Murray Rivers, District Two
Martin S. Jackel, District Three
Harris Odell, Jr., District Five
Eddie W. DeLoach, District Seven

ABSENT: Dr. Priscilla D. Thomas, Vice Chairman, District Eight
Ben Price, District Six

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

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V. CHAIRMAN'S ITEMS

1. VETO - TRANSFER OF YOUTH DETENTION CENTER AND PROPERTY LOCATED BEHIND MEMORIAL STADIUM TO CHATHAM COUNTY RECREATION AUTHORITY.

Chairman Hair said, the first item on the agenda today is the veto of the transfer of the Youth Detention Center. I will be more than happy to entertain any motion to reconsider prior to reading the veto in. If not, I'll go ahead and read the veto into the record. Okay, fellow members of the Board, pursuant to Section 13 of the Enabling Act, Act No. 1177, Georgia Laws 1984 —.

Commissioner Rivers said, Mr. Chairman, I think it would be inappropriate to come before reconsideration. Chairman Hair said, I just —, if you'd like to make a motion to reconsider, we'll be glad to address that at this time. Commissioner Rivers said, well, it's in the minutes and it'll automatically come back up, but I'm going to withdraw that reconsideration. Chairman Hair said, thank you.

Mr. Jonathan Hart said, I think the Chairman had said he wanted to entertain the motion. Chairman Hair said, I would be glad to entertain the motion prior to reading it, so —, but I appreciate that very much.

Chairman Hair then read the following into the record:

[INSERT]

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VI. COMMISSIONERS' ITEMS

1. WEIGHTLIFTING CENTER - MICHAEL COHEN (COMMISSIONER MURRAY). POSTPONED FROM MEETING OF MARCH 13, 1998.

Chairman Hair said, Commissioner Murray has requested that we delay the discussion on the Weightlifting Center until the next meeting, is that correct?

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2. ASSISTANCE TO HALL COUNTY (COMMISSIONER DELOACH).

Commissioner DeLoach said, it came up earlier that we had the problem concerning the situation in Hall County and I just called Russ [Abolt] and asked was there any possibility that we might be able to assist any of the counties up in that area along with Hall County. I knew the folks in Hall County, the Commissioners and the Manager, and I just suggested we might consider helping them.

Mr. Abolt said, I think it's a great idea. With your permission we will make the contact and follow through. Chairman Hair said, okay, that is a good idea.

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VII. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. RECOGNITION OF BASKETBALL TEAMS FROM SAVANNAH HIGH SCHOOL AND ST. ANDREW'S (COMMISSIONER MURRAY AND COMMISSIONER RIVERS).

Chairman Hair said, I think one of the basketball teams has arrived, St. Andrew's. I'm going to ask Commissioner Murray, who represents that district that St. Andrews is located to read the proclamation.

Commissioner Murray presented the following proclamation to the members of the St. Andrew's basketball team:

[INSERT]

Mr. Frank Dickson thanked the County Commission for the recognition given to St. Andrew's.

Mr. Larry Berry, Headmaster at St. Andrew's School, expressed appreciation for the support of the school and presented to the Commissioners a copy of their state championship T-shirt. Chairman Hair said, we will also be recognizing Savannah High's championship team as well when they come in and Commissioner Rivers will be reading that proclamation. With unanimous consent, we will delay Savannah High's until they arrive. Is that okay with everybody and when they come in we'll do that?

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Chairman Hair said, I believe Savannah High's basketball team has arrived for us to honor them. I'm going to ask Commissioner Rivers —.

Commissioner Rivers said, the Coach has asked me that he would like to say a word or two before we get started, so that's appropriate.

Coach Tim Jordan said, first I want to thank you all for having us out. We've had a very busy schedule. We apologize first for not being here on time, but the students had to go to their first class and they didn't get out until 8:55, so you know school comes first. We're glad y'all had us down here. Thank you very much.

Commissioner Rivers said, okay, Coach, we want to, on behalf of the citizens of Chatham County, congratulate Savannah High on its championship, and this is a great honor being that most of the guys are out of my district and you're moving the school —, the new school into my district, so that's going to be very, very good. So we'd like to congratulate the whole team and I think you guys did a tremendous job. You had tremendous odds coming through all of the play-offs and getting to where you were, but I guess that determination and that hard work paid off for you. So we appreciate that and appreciate your effort and you as students being a model for other kids that's coming along that's going to keep those championships coming into Savannah and Chatham County.

Commissioner Rivers then presented the following proclamation to the members of the Savannah High basketball team:

[INSERT]

Commissioner Rivers said, we do congratulate all of you for an outstanding season.

Chairman Hair said, I just want to say on a personal I really appreciate the great job you guys did. I just have a proposition for the coach. We're going to get a little team up. If y'all want to [inaudible] with the Commission. We'll spot you a few points. We'd hate to embarrass the State Championship Team.

Commissioner Murray said, Mr. Chairman, they've got one player that I just saw on the news last night that got the WTOC Regional Player of the Year. Do you think you could recognize him?

Coach Jordan said, this young man, they call him Murdock Ferguson. He got the name Murdock from the crazy guy on the A-Team. He also got News-Press Player of the Year in today's paper and he's known as one of the top players in the State. He made first team, All-State, and he was in the Terrific 10 in the State of Georgia. We're going to see some good things from James in the near future, James "Murdock" Ferguson.

Chairman Hair said, thanks again for coming, guys. Coach Jordan said, thank y'all for having us. We appreciate that. Chairman Hair said, congratulations to the team. You did a great job.

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VIII. TABLED/POSTPONED ITEMS

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. **BOARD CONSIDERATION OF ACTION REGARDING ADVISORY BOARDS AND COMMITTEES. Tabled at meeting of April 25, 1997. Further note: Assigned to committee at meeting of May 9, 1997.**

ACTION OF THE BOARD:

This item was not placed before the Commissioners for consideration.

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2. **BOARD CONSIDERATION ON CHANGING THE COUNTY'S FISCAL YEAR.** Tabled at meeting of May 9, 1997.

ACTION OF THE BOARD:

This item was not placed before the Commissioners for consideration.

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3. **BOARD CONSIDERATION OF MODIFICATION TO EMPLOYEE ASSISTANCE PROGRAM REGARDING NOTIFICATION AS TO PARTICIPATING EMPLOYEES.** Tabled at meeting of May 9, 1997.

ACTION OF THE BOARD:

This item was not placed before the Commissioners for consideration.

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4. **SALARY ADJUSTMENTS (CHAIRMAN HAIR).** Tabled at meeting of October 24, 1997, until budget deliberations.

ACTION OF THE BOARD:

This item was not placed before the Commissioners for consideration.

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- *5. **PETITIONERS, HILDA WHITAKER, FRANK L. BOURNE, JR., JAMES SHEPPARD, RONALD KOLMAN, MARTIN J. HEIMES AND MARIANNE M. HEIMES, ARE REQUESTING THAT THE TEXT OF THE CHATHAM COUNTY ZONING REGULATIONS BE AMENDED BY REPEALING THE CURRENT ORDINANCE AND ENACTING A NEW ONE IN ITS PLACE. GIVEN THE MAGNITUDE OF THIS UNDERTAKING, THE MPC RECOMMENDED THAT THE REQUEST BE APPROVED AND THAT THE COUNTY FUND THE ACTIVITY AS A LINE ITEM IN THE NEXT TWO YEARS' BUDGETS. Note: Item was tabled at meeting of January 23, 1998. See additional staff information including a report from the County Attorney and options from MPC staff. Tabled at meeting of February 6, 1998, until opinion of Attorney General is received. Opinion has been received and is attached.**
MPC FILE NO. 97-11982-C
NO DISTRICT/TEXT AMENDMENT/UNINCORPORATED AREA

Chairman Hair said, we asked for an Attorney General ruling as to whether or not we could use fees to pay for it, and you all got a copy of the memo from the Attorney General saying we could not use fees for that. So if it's the wish of the Commission to take this off the table and go ahead and deal with it, we can do that at this time. I'll entertain a motion to remove it from the table. Commissioner Jackel said, so moved. Chairman Hair asked, do I have a second. Commissioner Rivers said, second. Chairman Hair said, second, okay. All those in favor to remove it from the table vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Price and Thomas were not present.] Chairman Hair said, the motion passes. Okay, now the Chair will entertain a motion on the item itself. Commissioner DeLoach asked, we're on number five now? Chairman Hair said, right, number five.

Chairman Hair said, this basically, if you remember, we were given several alternatives by the MPC and also by the County Manager as to ways to fund this. He and I had a discussion about this as late as this morning and, of course, we don't have any money in our budget to do it. I think it's —, the staff is —, one option would be that we could do it with the existing staff, MPC staff, and not have to put any more money into the project, would be one way we could do it, but there really are no funds. We can't use the fees for it and the County Manager has told me again this morning that we don't have the funds to do this.

Commissioner Murray asked, what you're saying then is we can send it back to the MPC for the MPC staff to do it? Mr. Abolt said, yes sir. If I may, on the sixth piece of paper, and I apologize, we don't have them numbered, but in your reports that follow after this agenda item, there is a memorandum from Mr. Newton dated the 2nd of February in which he gives you four options, and the fourth option would be, because this is a priority, but yet funding should not get in the way of getting the job done, the fourth option is to do it with current staff. I have told you on more than one occasion that I had experience in another jurisdiction where the need was almost as great as this and the priority, regardless of what the budget might say as currently adopted, would drive it to the point of telling MPC it should be done within their existing resources. I also believe, and again this is based on the experience in another jurisdiction, that to have a consultant do it misses the point. It's expenses plus unless staff is aggressively involved in the rewrite, they have —, they're not able to implement it. So it's kind

of like having someone come in and tell you what time it is by looking at your watch, but then after that person leaves you still can't tell what time it is. It's very important for staff to know the revisions, know the operation of the Zoning Ordinance so that once adopted they can implement it. Chairman Hair said, I think that make a lot of sense.

Commissioner Murray said, I would move that we send it back to MPC for them to implement it for us, and I'd like to speak on that after we get the motion set. Commissioner Saussy said, second. Chairman Hair said, all right, we have a motion and a second. Commissioner Murray said, I just feel like, you know, we discussed this during budget setting time, and I know MPC was cut a little bit, but at the same time the unincorporated area of Chatham County has continued to shrink because of the annexations that have taken place throughout the County. We're still paying 50% of the MPC's budget, and I feel like by doing that, that 50% we pay is supposed to take care of those things within the unincorporated area of Chatham County. So I feel like at this point that is the proper place to send it. They need to be the ones to do it and we need to send it back to them for that.

Chairman Hair said, I totally agree. The discussion the County Manager and I had this morning too related to much bigger issues on all this annexation going on. We have to look at the impact that all this annexation is having on County services and by departments, and the County Manager has said he will get the study started post haste and give us some feedback here in the next six to eight weeks as to all of the impacts that this massive annexation of the City has on the unincorporated areas, and this is certainly one example of it. It also would affect other departments: Public Works, Police, and those kinds of things.

Commissioner Murray said, one other thought since you're on the annexation. You know, I just feel like the State needs to change the way the annexations are done. I'm not saying the Commission would vote against annexation, but I think that it's —, the County is putting a lot of money into different areas of this community, and as those areas begin to develop then either the City of Savannah or one of the municipalities then comes in and annexes it based on the money the County has already spent on it, and it takes the revenue out of what we have for the unincorporated area. If we're going to be doing those things, I think both parties should be involved in it and not just the party that wants to annex. And the way it's done now is not that. We get a notice that it's being done, but there's no way that we even get a vote on it, and I just think it's wrong to do it that way and maybe that's something we need to take up with our Legislators again.

Chairman Hair said, it is. There's three ways to annex in the State of Georgia and all three of them are Constitutional so we're going to have to get some help from the legislative delegation to maybe get some Constitutional changes done. That might be something we want to put on our list for next year in terms of getting them to do that.

Mr. Abolt said, Mr. Chairman and gentlemen, you have the option too under House Bill 49, and staff's working on that, but when you come together with your peers among the City Council, part of the impetus of 49 is to deal with that very issue. Chairman Hair asked, okay, any further discussion?

Commissioner Jackel said, I wish someone from the MPC staff was here, but their Alternative C just sounds like a good compromise, and that's a staff-led —, where a new staff member, having broad experience in developing and updating zoning regulations, is hired to spend full time on updating and revising the regulations. This alternative will require the third shortest amount of time, approximately two years, and will cost approximately \$60,000 to \$70,000 per year. The difference between this alternative and A is that the consultant would be in-house. So, I think that would address some of the concerns of our County Manager. What I'm really afraid of here is that we're going to be short-term effective with cost, but long-term foolish. I'm afraid we may have to pay a severe price down the road if we don't do some real planning and some management in the zoning issues. I certainly hear what you, Mr. Chairman, and Commissioner Murray are saying that there is consolidation and that we're losing part of the County —, unincorporated part of the County, but it is also true that the rest of the unincorporated County is developing faster than it ever has, so there are more and more decisions that need to be made. And as the density increases in these areas, then the decisions are more critical than they have ever been. If you live 10 miles away from your neighbor you don't really care what he does, but if you live right next door to them, you don't want them raising hogs. So somewhere in between those we have to reach something that everybody can live with. I would really like to see them here and have more discussion on that, to talk to that. Commissioner Saussy said, they're here.

Chairman Hair said, they're here. Also, though, Commissioner Jackel, what you just suggested, of course, would be, under the current motion would be allowed if they could do it within their —, if they could find that \$60,000 within their existing budget, they could do exactly that within the motion that's on the floor right now. So that would be an option they could consider. Bill [Saxman], what we're discussing, and you may or may not be able to discuss this in the absence of Milton [Newton], but we're talking about how we're going to fund all of the text changes and the studies that need to be done, and the current motion on the floor is that we send it back to MPC and request that it be done but it be done in-house with existing budgets.

Mr. Saxman said, it would have to be done in real small increments —. Chairman Hair said, right. Mr. Saxman said, as we had special time. I spoke with Milton [Newton] briefly yesterday on this. He indicated, you know, that's one of the options, if that's what it is, we were just going to have to allocate our time. We've got a couple more positions we're trying to fill right now and, of course, if that's filled, we'll just have to work section by section.

Commissioner Murray said, Bill [Saxman], I know that you've had —, there may be more, but I know of two people that have resigned and taken other positions elsewhere. Are those positions going to be filled as they were there? Mr. Saxman said, they're being advertised now, and we also lost a Landscape Site Plan Review —. Commissioner Murray said, so you've lost three. Mr. Saxman said, that's right. Commissioner Murray said, are they going to be —, are the same positions going to be filled at the same dollar figures or —? Mr. Saxman said, I can't answer that, but Russ [Abolt] could better that I could. Commissioner Murray said, because I understood that a couple of these may not be filled and if they weren't then those funds could be utilized to do this. Mr. Saxman said, the landscape person [inaudible] Park & Tree, but we are trying to get another Site Plan Reviewer because she did all the City landscaping and all the City's site plan reviews. Right now that's being split out between a couple of other of us. Chairman Hair said, of course, there again, Commissioner Murray, going to the current

motion, that option —, all that you're discussing and what Commissioner Jackel discussed can be done within the existing motion.

Commissioner DeLoach said, the cost on the —, A is \$100,000 to \$125,000. Mr. Saxman said, right. Commissioner DeLoach asked, total? Mr. Saxman said, right. Commissioner DeLoach said, and the cost on the Item C is \$60,000 to \$70,000 per year. Mr. Saxman said, right. And that's if —. Commissioner DeLoach said, what I'm getting to here, I'm looking at having a consultant-led study done is going to cost me \$100,000. I use my staff and it's going to cost me \$120,000. Why do we want to spend more and use our local staff? Why wouldn't we use the consultant and do it cheaper? Mr. Saxman said, the staff —, we'd have to spread theirs out over a longer period of time. Commissioner DeLoach said, I don't about why, I'm just why do we want to spend the money. Mr. Saxman said, well the staff's going to be involved in addition to the consultant. You have the consultant fees and the staff time is going to be involved. They're still going to be working with the consultant. Commissioner DeLoach said, the way I read this thing here it says if we use a consultant it's going to cost us \$100,000 to \$125,000. If we use the staff, it's going to cost \$60,000 to \$70,000 for two years. Now, I'm looking at doing it for \$100,000 or \$120,000. It doesn't say and staff or anything else. It says —. Commissioner Murray said, the consultant [inaudible] though. Commissioner DeLoach said, that's fine, but the point is it's not costing us any —, it's only going to cost us \$100,000. Commissioner Murray said, I don't believe that. Chairman Hair said, it's still going to —, it will take the same amount of staff time. The consultant is just going to lead it, but the staff will have to [inaudible]. Commissioner DeLoach said, yes, but I mean, you're up here and you're going to vote on whether to spend \$100,000 and get the same study as you do if you spend \$140,000 and it's an inside study. Chairman Hair said, well, I think the difference though is —. Commissioner Murray said, they're doing it within their present budget though. We're aren't —. Chairman Hair said, yes, it's not an extra \$120,000, it's the \$120,000 that's already there, whereas, if you get the consultant, it's going to be an extra \$100,000 in addition to the \$120,000 for the staff, so —. Commissioner DeLoach said, no, I don't get the other \$120,000. Chairman Hair said, the staff's going to be paid anyway. Commissioner DeLoach said, that's not what it said, that's not what it says here. This says —. Commissioner Jackel said, it says it, yes. Commissioner DeLoach said, it says it's going to cost me \$100,000. I'm reading what it says. Commissioner Murray said, it says approximately \$100,000 to \$125,000, which I can assure you if you have a consultant it's going to go over the \$125,000. Commissioner DeLoach said, no, well not if you vote on it and say that's what we're going to spend. I mean, I would not think —, well, I won't say that. I've already been down that road.

Chairman Hair said, I suggest that what we do is we deal with the motion on the floor and then if we want to —, if that motion passes or fails, we can deal with any other motion because the motion on the floor is —. Commissioner DeLoach said, I understand —, can I just add to my —? Chairman Hair said, certainly. Commissioner DeLoach said, the only thing I want to add to it is, it's very difficult to be objective if you're inside the ball game. You can't, you cannot be objective, you cannot study a study a situation if you're a part of the situation. It is absolutely impossible because all of your opinions are based on your past history, so everything you do from that point on is based on how I, you know —, hey, what if this thing comes up and I'm doing the study and it recommends doing away with my job. I don't think so, you know. I'm going to write that sucker the way I want it to sound. Chairman Hair said, Bill [Saxman] respond to that.

Mr. Saxman said, we really wouldn't be doing that kind of an analysis, but we're actually just doing the ordinance as far as development codes and standards, and so if you'd have people that are local —, we would have a committee unless we're directed otherwise. We basically work with a committee every time we have some of these land use development changes, whether it's signs or subdivision regulations, we work with the people who are involved in the community, those that have pro and negative viewpoints and try to balance out a committee, so we basically work with a committee when we develop these design standards. So, it's not how many staff members you're going to have, it's the actual regulations you're working with.

Commissioner DeLoach said, maybe I'm misunderstanding what this study is about, and I apologize if I am, but to me, you know, hey, it's no big deal to get a committee up to study a sign. I mean, that's not controversial as far as the MPC is concerned. We're not dealing with the body of the MPC or whether we're going to have it or whether we need to do away with it, you know. We're not dealing with it there if we're dealing with a sign. We can get all the committees we want, that's no problem. But if I've got to decide like Frank [Murray] and I are taking —, are considering or maybe some others on here that, hey, do we really need an MPC or do we really —, do we want to take this in-house, or is that what we want. Is this what this ordinance is going to do here? Is this the study —? Mr. Saxman said, no. What we're looking at, what we were told is just design standards and regulations that deal with land use development. That's what —.

Chairman Hair said, and those standards would have to be administered the same whether it was under the MPC or we brought that in-house. We're talking really about the standards the developers have to meet, so I think in that sense, Commissioner DeLoach, I don't think there would be a major difference. I don't think it would impact us to bring it in house —. Commissioner DeLoach said, or otherwise? Chairman Hair said, I totally agree with you. I think this needs to be too, but this wouldn't affect us. All this is is just the standards. No matter which agency is administering it, they're going to have to follow those new standards. Commissioner DeLoach asked, you feel all right that we could write it based on using the local staff and we would have the same —? Chairman Hair said, based on the comments the County Manager just made, in his former jurisdiction he said it worked very well, so I personally think it would.

Commissioner Murray said, and I think the other thing too, and Bill [Saxman] said it, is that you will have citizens within the community involved in this, as you did last time with the upgrade of the land use plan —. Mr. Saxman said, right. It would be a County-wide effort as far as the input into it. The developers, the environmental league's issues, the whole spectrum would have input in it, builders and citizens at large. It would be a committee set up the way I'm envisioning it now.

Chairman Hair said, okay, we have a motion and a second. All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Murray, Odell and DeLoach voted in favor of the motion. Commissioner Jackel voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioners Price and Thomas were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

1. Commissioner Jackel moved to take this item off the table and place it before the Commissioners for consideration. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]
2. Commissioner Murray moved that the request of Petitioners Hilda Whitaker, Frank L. Bourne, Jr., James Sheppard, Ronald Kolman, Martin J. Heimes and Marianne M. Heimes, that the text of the Chatham County Zoning Regulations be amended by repealing the current ordinance and enacting a new one in its place, be returned to the MPC with the direction that they conduct the necessary studies using their in-house staff and within their current budget. Commissioner Saussy seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Murray, Odell and DeLoach voted in favor of the motion. Commissioner Jackel voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioners Price and Thomas were not present.]

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6. **COMMITMENT TO RECREATION AUTHORITY OF JUVENILE COURT PROPERTY AND LAND FOR DORMITORY (COMMISSIONER SAUSSY).** Note: At the March 13, 1998, meeting Commissioner Rivers asked for reconsideration of this item.

ACTION OF THE BOARD:

Commissioner Rivers withdrew his request for reconsideration of this item.

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- *7. **REQUEST BOARD APPROVE ADMISSION FEE PROGRAM FOR ANDERSON/COHEN WEIGHT-LIFTING CENTER.** Note: Tabled at meeting of March 13, 1998.

This next item we're going to leave on the table, which dealt with Savannah Weightlifting Center fees.

ACTION OF THE BOARD:

This item was not placed before the Commissioners for consideration.

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IX. ITEMS FOR INDIVIDUAL ACTION

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

1. PUBLIC HEARING REGARDING SALE OF THE COUNTY'S WATER AND SEWER SYSTEMS.

Chairman Hair said, prior to accepting input, I want to make it very clear to the public that the purpose of this hearing today is just simply to get input. There's not going to be any decisions made certainly at this meeting and probably not for some meetings to come, but we want to make sure that we have all the information from both the users and also the vendors before we were to take any action on the water/sewer systems. So at this moment I'm going to open the hearing on the water/sewer systems. If anybody would like to speak, I'm going to ask if you would come forward and state your name for the record and if you represent a group, I'm going to ask that you appoint a spokesman for the group, and so that we'll have time for everybody to speak, I'm going to ask that you be very brief.

Ms. Newkirk said, I would like to speak in behalf of the water system going private. I live in Isle of Hope. Mr. Murray's my Commissioner. Chairman Hair said, would you state your name for the record. Ms. Newkirk said, okay, Elizabeth Raders Newkirk. I am the recipient of a private water company and, without mentioning names --, in fact, I'd like to submit this to the record of a individual who owns a private water company and the services that we have received, both being a --. With no regulations, we have no assurance of any kind of treatment, and myself two years ago experienced a very horrible situation with this individual when my children were exposed to a gun being pulled because of a record that was not kept. I was completely paid up on my account. Some man that he had come out stating that I had not paid any money, I was completely paid for the year. It concerns me that this will continue to happen, not only in the unincorporated areas, but when there's no regulations put on a system, that this could continue to happen. I'm also a very strong civic person in Isle of Hope. I deal with the fire department, which we have someone here to speak for, and we have dealt with many, many problems in this area. So I would really like you to consider that when anything is privatized, that they don't have regulations put on them, and that people who are doing their part are constantly being --, are suffering because of it. Chairman Hair said, thank you for your comments.

Commissioner Murray said, Ms. Newkirk, when you first started, it sounded like you were in favor of privatizing, but I know you are not. Ms. Newkirk said, I am not. Commissioner Murray said, I knew you were not. I just wanted to make that clear. Ms. Newkirk said, oh, I'm sorry. No, I am not. I'm sorry if I said that. Chairman Hair said, thank you. Ms. Newkirk said, and I would like to submit this. This is actually from Mr. Murray's office. Chairman Hair said, if you would hand that to the Clerk we will enter that into the record. Thank you very much for coming. Anybody else? If y'all would come —, those of you that want to speak, come forward and sit on the front row, we'll speed this process up a little bit, go ahead and sit there.

[INSERT]

Mr. Zipperer said, my name is Pete Zipperer and I do not represent a group. I live on Norwood Avenue and about two or three years ago we met at the Baptist Church over in Isle of Hope with either the County Commissioners or some of their representatives about an expansion —, a planned expansion of the water system down Salcedo, which is parallel to Norwood and east of Norwood. Is that still in the offing if this goes private or what —? Commissioner Murray said, if it goes to the private sector, we would not have any control of that, I don't think. Mr. Zipperer said, it could go away. Commissioner Murray said, yes. If the system is either sold or given to a private system, that would be entirely up to them. We would not have any controls over that. Mr. Zipperer said, so any plans we've made up to this point would just be for naught. Commissioner Murray said, well, unless that group wanted to do it and that was part of the negotiations. Mr. Zipperer said, so it would be up to them as to whether it would be done or not. Chairman Hair said, that could probably be part of the negotiating process. It could be if the County chose to move in that direction. Mr. Zipperer said, okay. Chairman Hair said, thank you very much.

Mr. McClain said, good morning. My name is Jim McClain. I'd like to address the issue about the sale of the water systems in two areas. One is economics and the other is public good. The economics, right now the water system pays for itself. It's not a tax supported item. It's paid for by the consumers. It's a break-even deal with the services provided and paid for by the consumers of the product. If it is sold, it's going to generate a lot of immediate capital, but we all know that capital is just a one-time —, it's going to be just a one-time expenditure. Once you spend that capital, the system's going to be gone. It will have no way of supporting the system again. The system will be gone. Once the system is sold, it will go to a private owner and this private owner will not be regulated by any public service regulations. Electricity, gas is all publicly regulated. Water systems are not. There are too many small industries, I think, why they're not regulated. It's already been stated that the rates —, the increased rates that they anticipate will be determined by how much they have to pay for the system, so all this is going to amount to is a hidden tax increase. Secondly, I'd like to address this in terms of public good. I'm a member of the Volunteer Fire Department of Isle of Hope. I do not speak for the fire department. I speak as an individual member of that fire department. Commissioner Murray has been very helpful in some of our water improvements that are needed out on Isle of Hope. We've got a very old community. Some of those water systems out there do not have proper fire hydrant coverage. Chatham County at this moment is working to improve that fire hydrant coverage out in that area, but we also have a private system at Isle of Hope and that individual that own that's system is under no incentive whatsoever to improve that system, and we've been told so. We have vast areas that are uncovered. And without some sort of incentive, which there is none for a private water group, that system is going to remain uncovered by fire hydrants. I think that's unfair to the people that live in that area that that whole system is grandfathered in under old codes. That may be another issue, but with a private owner coming into our system, which is now County-maintained, what's going to be their incentive to maintain fire hydrants, maintain the services that we currently have. Chairman Hair said, thank you, sir. We appreciate your comments.

Ms. Cooley said, good morning. I'm Doris Cooley. I live in somewhat the same area of Isle of Hope, which is, I guess, Sandfly. I am concerned about what's been said already about —, well, first of all, I don't really understand or know anything about why you would want to change it. It works for me. I have no problems with it as it is. Private means that they need to make a profit. I'm concerned about job losses, that kind of thing. What's going to happen to employees, are they still be in this system as far as employees? There was also an attempt to put in a water tower some time ago into the area where I am, which we, as a small community, voted didn't want to get, and we found out it had something to do with the water systems in Isle of Hope needing this pressure from this water storage tank. And, I don't know, it makes me kind of leery of what's going on with the water thing. I'd like to know more about it. I didn't even know they had a private company in Isle of Hope because while I don't live here, I just think that we need to think about this as citizens and you, as Commissioners, to think about what's going to happen in the future, is this the right way to really go, is this going to really benefit us or is it going to be a disaster? Thank you. Chairman Hair said, thank you very much. I appreciate your comments.

Mrs. Johnson said, my name is Beverly Johnson and I'm representing —, well, I'm speaking on behalf of the members of the Burroughs Community, which is a section of Chevis Road, and I just want to state for the record that the members of the Burroughs Community are not in support of the sale of the County's water and waste management system. Chairman Hair said, thank you. Good morning.

Ms. Sabrina Kent said, Mr. Jackel represents our area. I'm from the [inaudible] Robin Hood area, Isle of Hope area. I'm very active. I get a lot of things done. The people in our area are opposed to this. I think, like the young lady said from Isle of Hope, that it's —, we probably need to look at the system that we currently have and put regulations there. We need to look at what we already have versus selling what we have because, as we all know, when you sell there is always a problem. We're satisfied with what we have and we propose that it stays that way. Chairman Hair said, okay. Thank you.

Mr. Butler said, good morning. My names is James Butler. I live at 2 Bransby Drive, Isle of Hope. I've been there 40 years. We've had County water the whole time that I've been there. I don't know of any problems that we've ever had. I know of other systems that are privately owned that the price is two and three time what we pay the County. I've talked to some of the County Commissioners and from my understanding the County has never lost any money on this operation; that they've actually made money. I'd like to really see the figures. The paper's figures I didn't really like the way they stacked up. I think it was a little different. Chairman Hair said, we'd be happy to get you those figures. It's a public record. We'd be happy to get you those figures. Mr. Butler said, I'd like to know —, I'd like to have meetings —, I'd like to see you have meetings in that community where people will have more notice than from Monday until Friday and the people that work that can't meet,

maybe have a meeting at night, if you do decide to have it, where they can come to this —, these meetings and talk to you about it. Chairman Hair said, I think that's a great idea. Mr. Butler said, but I am against it. I feel the County has done a great job. We do have police protection and we have trash pickup. Anything else we get from the County we pay for. When I say trash, weekly yard trash, and most of us pay \$7,000 a year taxes to the County and the City and I'm well satisfied with it and I think most of the people are. Chairman Hair said, thank you, sir. Mr. Butler said, thank you very much. Chairman Hair said, thank you.

Mr. Norris said, good morning. I'm Jack Norris. I live at the Isle of Hope and I've lived there for 36 some-odd years. I've seen a lot of changes out there none of which have been bad, but however we've had us a fine water system out there all these years and there has been no control whatsoever to my knowledge of the cost of the service or the service itself. There have been many times when we've had power failures out there and we didn't have any water because we didn't have any auxiliary system to pump the water into the homes. This was a bad situation, particularly to people with small children. Sanitary conditions were bad and everything. We're now getting sewage [sic] out there, which is a great thing. The County is going to control that unless y'all come to some opposite decision. If anything, I would be opposed completely to privatizing the water and/or the sewer. There's no control over it and I think the County would have control if they had the ownership of both of them. Thank you. Chairman Hair said, thank you, Mr. Norris, we appreciate it. Anyone else would like to speak to the issue? If not —. Come forward, sir.

Mr. Jessie Lightfoot said, good morning. I stay at Runaway Point and I've been staying out there for about 20 years. Somehow or another every month my water bill goes up. It's been running anywhere from \$85 to \$90 every two months, and when I first moved out there my water bill wasn't more than about \$54 or \$40 a month —, every two months. I asked the County —, I've been talking to the County, I told them about it, and I've talked to them many times since I've been staying out there, and I've been staying out there for over 20 years, and every time I talk to one of them, they say we'll go out there and check it but it's going to cost you an extra \$10. So I asked, charge an extra \$10 for what, and you always tell me about for the man to come out there and go out there and check it, and I tell them, I say, one thing you don't clean out the —, that little thing from around the meter. When it rains, water brings sand in there and it fills it up and when the checkers come out there to check it, they don't even clean it out. I reckon they usually just put down what they had from last month —, last two months, and that's it. And so every time I ask them to go out there and check it, they always tell me about well it's going to cost you an extra \$10. Well, I say, go out there and check it, and then when I come up here or you just send me a bill and say now this \$10 here that you paid and the man went out there and checked it and he said it is direct right, but I don't see how I —, how can I pay \$97 every two months and I've been paying \$45 and \$50. I told them I want to get some understanding about it. Thank you, sir. Chairman Hair said, thank you, Mr. Lightfoot.

Commissioner Murray asked, were you on the County's water system or are you on a private water system? Mr. Lightfoot said, I think it must be a private. Chairman Hair said, okay. Thank you, Mr. Lightfoot. We appreciate you coming.

Mr. Robert Sullivan said, I'm out in the Isle of Hope area. I'm on Salcedo Avenue where the gentleman was just referring to, and when I first went out there I had well water, which was a pump, and every time I'd go to take a shower something would break and the next thing you know I'd be all soaped up with no water. It was a God's blessing that Chatham County came in with their water system, and I have seen no problem. We have —, we do have privatized the garbage collection, which I would like to see on the water bill like the City has, but at any rate, we did pay for our own sewerage to have it. That was imperative, and it was imperative for us to get on the County water system, and to me there has been no problem whatsoever. I'd even like to see the fares go up a little bit, the rates go up a little bit just to have a public garbage system because that is the main thing the City has that the County does not have, and I don't know quite where all the garbage dumps are in the County any more. I used to know, but they took a lot of them away, but as far as I'm concerned, I hope they do not sell. I hope that Chatham County will continue to retain what they have. Chairman Hair said, thank you very much, Mr. Sullivan. I think you —, I'm going to have to say this to you, in 15 months you're the first person that ever got up here and said they want to raise fees. Mr. Sullivan said, well, it's only for garbage. Chairman Hair said, you're unique.

Chairman Hair said, I want to show my appreciation to everybody who came this morning and I know you probably had a lot of things you could have done on a Friday morning other than come down here and express your points of view, but they are very important to us and I can assure you that all the comments will be considered as this process goes on and it will be entered into the record. And your suggestion, if we do proceed with this, to have the neighborhood meetings I think is a wonderful idea. That needs to be done as well, but we really appreciate your comments and we appreciate y'all coming.

Commissioner Murray said, listening to what everyone said. The last, including this one, three Commissions, this has come up each time a new Commission comes in to look at the water system about selling the Chatham County system. Each time so far we've voted against doing that and the reasons are basically because of what we've heard this morning. The system does work, it does function. We do have a reserve fund that that money goes into to maintain and upkeep that system. The question has come up sometimes about the City of Savannah's system and why is theirs so much more. Well, the City of Savannah charges roughly 50% more for water outside the City limits of Savannah than the do to the residents that live within that City, and that's supposedly for their cost to put the system in and that type thing, but to me it's a long-term system. Once it's in there, it's going to be there, but I don't ever see the rates being reduced from it. So those are some of the reasons that have come up. I know the Isle of Hope area and some other areas throughout Chatham County have got some problems. The drainage problems are being addressed right now, and I think, Mr. Butler, you said you're on Bransby and that's being looked at right now also while the drainage is going in, but as far as the County water system, I think we do have a good system, and I don't know if this will ever come up to a vote, but if it does we will certainly address it at that time, but I appreciate those people taking the time to come up here and at least to express their feelings on it.

Chairman Hair said, thank you. Thank y'all for coming. I really appreciate your taking the effort to do that. There being no further comment, I'll declare the hearing adjourned.

ACTION OF THE BOARD:

Public hearing only. No action taken by the Board.

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2. REQUEST BOARD APPROVE THE FOLLOWING: ONE PERCENT SALES TAX EXTENSION FUND (1993-1998) RESERVE FOR SPECIFIED PROJECTS TRANSFER OF \$145,730 TO THE SCIENCE DRIVE RELOCATION PROJECT AND A ONE PERCENT SALES TAX ROAD PROGRAM (1985-1993) TRANSFER OF \$2.1 MILLION FROM THE JOHNNY MERCER/US80 FLYOVER PROJECT FUNDS FOR THE COUNTYWIDE DRAINAGE IMPROVEMENT PROGRAM TO BE REIMBURSED WHEN THE 1998-2003 SPLOST FUNDS ARE RECEIVED.

Chairman Hair said, the Chair will entertain a motion. Commissioner Murray said, I've got a question on one of them. Commissioner DeLoach said, so moved. Chairman Hair asked, do I have a second? Let's get —, I have a motion, do I have a second? Commissioner Odell said, second. Chairman Hair said, second. Okay, Commissioner Murray.

Commissioner Murray said, Russ [Abolt], this transfer of \$2.1 million from the Johnny Mercer and US80 Flyover Project —. Mr. Abolt said, yes, sir. Commissioner Murray asked, which project is that? Mr. Abolt said, that's the one yet to be built there at Johnny Mercer. Commissioner Murray asked, why are we transferring money out of that? Mr. Abolt said, we're loaning them money, sir. As you recall, in the cash flow analysis that we've done for the water and sewer to Hutchinson Island, we've identified a way in which we can advance fund that and pay it back. We believe right now in the short term, because the traffic study still has to be done as far as cash flow, we can obligate that money for the flyover, which has been there for some time, and still be able to allow you to decide on the flyover in the months to come after the traffic analysis is done. Commissioner Murray said, well, I don't think there's any rush as far as the flyover goes because I, quite frankly, don't think the votes are going to be there to build it, but it hasn't been deemed infeasible to do it at this point, and that's why I was wondering how you're transferring the funds —. Mr. Abolt said, I both cases it's just a loan. Chairman Hair said, yes. We do that fairly frequently. Mr. Abolt said, and I don't want to say the money is idle because it's being invested now. It would just be invested in this program and then it will be reimbursed through sales tax. Chairman Hair said, what it does, it allows us to advance fund some of the other projects. Commissioner Murray said, I understand that. I don't have a problem with that, I just wanted to make sure that —, the refund. Chairman Hair said, yes.

Mr. Abolt said, with your permission, I would like to just expand on what Commissioner Murray has asked for, and I would like to give credit to Mr. Bungard and his staff to [inaudible] those concepts in the storm drainage work. The contract and the expenditure of this money for this digitized topographic mapping information will, in effect, save the taxpayers of Chatham County millions of dollars, and let me explain why. As we all know, Chatham County is relatively flat. The various differences in elevation, in some cases they're sometimes difficult to determine. This new computer technology and the way in which we can accurately decide where water will or will not go, in the Hardin Canal Project along, which was approved by the voters, Mr. Bungard feels that in savings of some of the retention facilities that they thought they would have to put in and the way in which runoff would be handled, that savings would equate to \$7 million. So we're not losing any money in this, we're borrowing to allow this to happen. It will benefit all of our drainage projects and, quite frankly, even before the first penny comes in on the new drainage program, which you know will not be collected until the first of October, Mr. Bungard and his staff have come up with a way of saving \$7 million.

Chairman Hair said, terrific, that's absolutely terrific. If there are no other questions, the Chair will entertain —. We already have a motion and a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Price and Thomas were not present.]

ACTION OF THE BOARD:

Commissioner DeLoach moved to approve the following: One Percent Sales Tax Extension Fund (1993-1998) Reserve for Specified Projects transfer of \$145,730 to the Science Drive Relocation project and a One Percent Sales Tax Road Program (1985-1993) transfer of \$2.1 million from the Johnny Mercer/US80 Flyover project funds for the Countywide Drainage Improvement Program to be reimbursed when the 1998-2003 SPLOST funds are received. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Price and Thomas were not present.]

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3. REQUEST FOR WAIVER OF PENALTIES PAID FOR CONDUCTING BUSINESS WITHOUT FIRST OBTAINING A BUSINESS TAX CERTIFICATE, JAMES B. HOWARD, PRESIDENT, D/B/A J. B. HOWARD INVESTMENT CO., INC., LOCATED AT 53 PEREGRINE CROSSING. STAFF RECOMMENDS DENIAL OF THE REQUEST. [DISTRICT 4.]

Mr. Gregori Anderson said, the applicant --, due to an investigation by our Occupation Tax Inspector discovered that this individual was conducting business at the referenced address without first obtaining an occupational tax certificate. The ordinance does mandate a delinquency tax penalty, and that's what we're here —, he's requesting relief of that penalty.

Chairman Hair asked, is Mr. Howard here or anybody representing Mr. Howard? [NOTE: No response was given.] Chairman Hair said, the Chair will entertain a motion. Commissioner Murray said, I move we deny the request. Chairman Hair said, we have a motion to deny. Do I have a second? Commissioner DeLoach said, second. Chairman Hair said, second. All

those in favor of denial vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Price and Thomas were not present.] Chairman Hair said, the motion is denied.

ACTION OF THE BOARD:

Commissioner Murray moved to **deny** the request of James B. Howard, President, d/b/a J. B. Howard Investment Co., Inc., located at 53 Peregrine Crossing, for waiver of penalties paid for conducting business without first obtaining a business tax certificate. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Price and Thomas were not present.]

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4. REQUEST BOARD APPROVAL TO WAIVE THE 90-DAY HIRING FREEZE AND AUTHORIZE HUMAN RESOURCES TO ADVERTISE POSITIONS THAT THE DEPARTMENT DEEMS MORE COST EFFICIENT TO FILL.

- CENTRAL SERVICES - EQUIPMENT MECHANIC III (ONE POSITION); EQUIPMENT MECHANIC II (ONE POSITION); CUSTODIAN II (ONE POSITION)
- JAIL - CLERICAL ASSISTANT III (ONE POSITION); CLERICAL ASSISTANT II (ONE POSITION)
- PUBLIC WORKS - EXEMPTION FROM HIRING FREEZE UNTIL SEPTEMBER 1, 1998, FOR ALL CURRENT AND UPCOMING VACANCIES IN PUBLIC WORKS
- INSPECTIONS - ZONING INSPECTOR (ONE POSITION); CLERICAL ASSISTANT III (ONE POSITION)

Chairman Hair said, the Chair will entertain a motion. Commissioner DeLoach said, so moved. Chairman Hair said, I have a motion, do I have a second? Commissioner Odell said, second. Chairman Hair said, I have a second. Any discussion? All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Jackel, Odell and DeLoach voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of five to one. [NOTE: Commissioners Rivers, Price and Thomas were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner DeLoach moved to approve the request for a waiver of the 90-day hiring freeze and authorize Human Resources to advertise the following positions: Central Services - Equipment Mechanic III (one position), Equipment Mechanic II (one position) and Custodian II (one position); Jail - Clerical Assistant III (one position) and Clerical Assistant II (one position); Public Works - exemption from hiring freeze until September 1, 1998, for all current and upcoming vacancies in Public Works; and, Inspections - Zoning Inspector (one position) and Clerical Assistant III (one position). Commissioner Odell seconded the motion. Chairman Hair and Commissioners Saussy, Jackel, Odell and DeLoach voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of five to one. [NOTE: Commissioners Rivers, Price and Thomas were not present.]

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5. BOARD CONSIDERATION OF COUNTY ASSESSING FOR NEIGHBORHOOD OPEN SPACE MAINTENANCE.

Mr. Abolt said, Mr. Chairman and members of the Board, let me say, this is innovative, it is consistent with the reports that you have received from the Tree Commission as to the state of the trees, and it's right in step with what many of you have been involved in in [inaudible] and subdivision conservation design. Now what does it mean? It means that in our traditional subdivisions, particularly those that have smaller lots, it's been proven time and time again that to either replant or to protect trees, it's darn near next to impossible. The intent in this consideration today is to direct staff, if you choose, to come back with an ordinance amendment that would look at the way in which we assess the streetlights and add to that the ability to assess for open space maintenance. Now you wonder how that all relates. It relates from this extent. That it would be possible in subdivisions where the lots are smaller particularly, where there must be need for open space to be created which is not now there, for the County to assess, just as we do for streetlights annually, and then either contract for or do by force account the necessary maintenance of that open space, and that would obviate the need for additional responsibilities for our homeowners' associations plus it would create in perpetuity a way of legitimately collecting for the actual expense involved in the maintenance. We have been working with Mr. Louis Young, who has been very cooperative in this. All of you will recall that in the discussion on conservation design, we have had a special committee headed up by MPC, Mr. Milton Newton, Ms. Page Hungerpillar and several developers, looking at ways in which we can do things a little bit better and do a much better job of protecting open space and trees. There is some risk involved with this, and both Mr. Hart and Mr. Bungard have outlined that in the report referred to in the staff report. I personally feel the risk is worth taking. We'll come back with an ordinance that will deal with addressing liability and total cost, but after this type of innovation and risk taking, I feel we're still committed, or having to be committed, to an old way of subdividing land that is not responsive to protecting trees and open space.

Chairman Hair said, all this motion does is direct staff to proceed. Mr. Abolt said, come back with an ordinance. Chairman Hair said, this does not approve any assessment or anything. Mr. Abolt said, no. Come back with an ordinance.

Commissioner Murray asked, you're talking about County-owned land —? Mr. Abolt said, no sir. Commissioner Murray asked, or privately-owned land? Mr. Abolt said, privately-owned land. Commissioner Murray asked, and you want us to assess to maintain privately-owned land? Mr. Abolt said, yes sir.

Commissioner DeLoach said, I think it needs some —. Chairman Hair said, it does need some thought. Commissioner DeLoach said, well, I think it's something we need to do. It's something that's got a grey area in it, but the biggest problem we've got, we're directing contractors now to leave additional spaces in neighborhoods so that we have some open areas for neighborhoods, and with that we have a large number of contractors who in fact go in, develop an area, one strip of road down the middle, put it in, and there is --, it leaves no one there responsible for maintaining the areas that we consider open spaces after that. That they are deeded to whoever, deeded to whatever, and as long as it's a public road and we're responsible for the road, the contractor is not responsible for maintaining that open area once he's sold all the homes. So what it does, it leaves an area there that the homeowners' association —, or the homeowners that are there that have no homeowners' association, have no way of maintaining it, they can't get somebody in there to maintain it, so what we end up having is a place that grows up in the middle of a neighborhood. The idea with this is, if we develop these programs, and this is different from all the ways we've developed properties in the past, we're actually leaving open spaces and that type thing, it gives us an opportunity to assess those homeowners, which they'll know going into the property when they buy it, exactly what the light cost is or what the additional cost for maintaining the grounds is. They'll know going in, and we can maintain those grounds so those folks can use those open spaces. Otherwise, we're going to end up with overgrown open spaces in neighborhoods because there's no associations to maintain them. That's the problem.

Commissioner Murray said, I don't have a problem with looking at it. Chairman Hair said, well, that's all it is. Commissioner Murray said, the question I've got is you mentioned something about medians. We should maintain the median anyway. Commissioner DeLoach said, no, it's not median. It's like —. Commissioner Murray said, you know what a green space is. Commissioner DeLoach said, yes, well, I mean, that's what we're requiring people to leave now, and those developers are leaving those areas and there's no way to maintain those as we've got it set up right now. Commissioner Murray said, well, let me ask you a question. Who's paying the taxes on that property? Mr. Abolt said, the property owner themselves. Whoever owns the property, and whoever owns the property would have a lien placed on it —. Commissioner Murray said, and once the developer sells that property and moves out of the subdivision, who owns it? Mr. Abolt said, the new owner does. Commissioner Murray asked, who's the new owner if they don't have an association? Commissioner DeLoach said, just deed it to the County. Commissioner Murray said, if they're going to do that, why don't they deed that property to the County and then —. Commissioner DeLoach said, because he deeds that to the County just like he does roads. Chairman Hair said, just like the roads, it's turned over just like the roads. Commissioner DeLoach said, it's turn over to the County like the roads are. Commissioner Jackel said, well, if they sell the property then we should be maintaining it. Mr. Abolt said, no. Commissioner DeLoach said, no. Mr. Abolt said, no, no. If I may, and again I think possibly first and second readings allowing enough comments would serve your decisions better, but what we have right now is a subdivision ordinance, and particularly when it comes to lots of smaller size. They go in, they're putting 6,000 square foot, or a little bit larger lots, into an area where, quite frankly, they can't make it economically work for that future homeowner unless they go in and do some fairly major clearing. Commissioner DeLoach was the one that brought it to our attention, along with Ms. Hungerpiller, about a year ago where we saw a subdivision of land that literally clear-cut the property, and when we look at our standards and, yes, we have a tree ordinance and, yes, it's working, but even though we have those, we're not accommodating for those smaller lots. When we collect money to replant trees, we're planting trees in areas where they're not going to live, and the only thing we know doing is create greater flexibility in the way in which the new subdivision is cut out of nature. And the way it's being looked at now, it gives the developer some flexibility to create open space, to create it not traditionally as you would and trying to eke out a little bit of back yard on a person's lot, but create a common area. Then the question comes up, okay, if it's a common area, how do we pay to have the thing maintained? The developer is saying on some subdivisions of land, and again I'm not an expert and only a public hearing would bring this out, but I'm told on the —, the entry level home buyer, when they're looking at making the financing work on their property, assessments are one thing. They're not created as part of the ability to pay for the lot, but when it comes to, you know, excessive homeowners' dues and other things like that, that's where people lose their qualifications for loans. That's an aside to this. But it allows us, I think, to more directly deal with the issue of how do we deal with land that now has many trees on it that would be subdivided in a very insensitive way versus being able to come up with an appreciation of the geographic features of the land. Where you have a cluster of trees, where you have quality trees that should be protected and some open space that's natural, how do we in perpetuity maintain that? And the best way we can come up with would be allowing us to assess, just like we assess for streetlights. It sounds so simple, maybe I'm losing the point with y'all. It's a risk. There's no question it's a risk.

Commissioner Jackel said, first of all, doesn't that have to be dedicated to the County? Mr. Abolt said, I'll defer to —. Commissioner Jackel said, someone has to own the property. All right, so it would be dedicated to the County and then once dedicated to the County we have to accept it. Just because they're going to give it to us doesn't mean we have to take it, and then once we take it, we're going to ask the adjacent landowners for an assessment to maintain it. Mr. Hart said, in theory that could work that way, Commissioner Jackel, you're correct. But from a practical standpoint, what's happening is you're having homeowners' associations that are responsible —, theoretically responsible for the maintenance of a common area. What happens in your lower first-home starter associations is that it would take large associations, is that it would take large association dues and they have to factor that into qualifying for a loan, that additional income excludes a lot of people from having the opportunity to purchase a home. On the other hand, when you're in a situation of a startup subdivision for first-time buyers, often times your homeowners' association is not as active as, say, some of the more fluent or development associations where they have a very systematic group of regulations. What happens is, the common areas of that subdivision that are still owned by the homeowners' association and have not been accepted through a dedication to the County for maintenance within that private subdivision, go unattended or there is no landscaping or shrubbery or whatever [inaudible] of the source of funds. Under the Enabling Act, the County can go in and make assessments as against property, and what would —, in theory what happened, just as Mr. Abolt said it would be, in theory it would be very similar to the light situation from the standpoint we'd make an assessment based on the light. In fairness, this is a much more complex issue than the light situation. You put the light up, you figure the cost of the electricity, the cost of the pole and the lightbulb, and that's a flat level cost. In this particular situation, if the County does get into it, there are a lot of staffing considerations. Not necessarily the legal, but the staffing considerations that would have to come into play, such as how do we handle the maintenance, how

does the assessment, and what requirements are we going to have within the MPC to ensure that the County's not getting themselves into a situation where they're having to take over ill-designed common areas and subdivisions since there's a "dump" by the developer on the County, and that's all I'm saying.

Chairman Hair said, it would also change over time as well, where the streetlighting assessment would not. I just think it needs to —, it's got a lot of discussion that needs to take place. We need to make sure we involve all the total community —, the development community, the residential communities and also through our public hearing process and also due to the fact that it's got to go through first and second readings, we'll have ample time to debate this..

Commissioner Murray said, I understand, but I've just got one other question. Chairman Hair said, okay. Commissioner Murray said, you know, y'all keep mentioning the streetlighting assessment. That works two ways. It works with an existing neighborhood that doesn't have it right now. Over 50% of those people have to vote and sign a petition to put it in or it doesn't go in. Now are you talking about the same type setup with this, or are you talking about the developers and when a new parcel starts developing, that will be part of it? Mr. Hart said, that would —. Commissioner Murray said, because you can't go —, I don't see how we can go back to existing subdivisions and say we're going to do it like the streetlighting, but we're going to tell you you're going to have to do it anyway. Mr. Hart said, there are a number of ways that that can be addressed by the ordinance, and that would —. Chairman Hair said, yes, all that's got to be addressed. Mr. Hart said, we would give you options, but you would have to select —. Commissioner Murray said, well, if that's the case, let's don't tie it to the streetlighting assessment because it's not the same. Chairman Hair said, I think those kinds of questions need to be answered through the debate process, and we can't answer them because we don't know how it would be done. Commissioner Murray said, like I said, I'd be glad to look at it. I'm not going to say I'm going to vote for it. Mr. Abolt said, that's all we need, sir.

Chairman Hair said, okay. All we want to do is to give the staff direction. The Chair will entertain a motion. Commissioner DeLoach said, so moved. Chairman Hair said, we have a motion. Do I have a second? Commissioner Odell said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Price and Thomas were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner DeLoach moved to give staff direction to proceed with drafting an ordinance for implementing open space maintenance requirements. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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X. ACTION CALENDAR

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

Chairman Hair asked, does anybody want to remove anything from the Action Calendar? Commissioner Jackel, how many do you want to remove? Commissioner Jackel said, just one this time. Chairman Hair said, just one. Which one is it? It must be a long one? Commissioner Jackel said, 12-1. Chairman Hair asked, 12 what? Commissioner Jackel said, the first item. Chairman Hair asked, St. Pius? Commissioner Jackel said, I'm sorry, I'm in the —, no, I don't have anything in there today.

Commissioner Rivers said, I move that the Action Calendar be approved. Chairman Hair said, wait a second. Frank [Murray] wants to remove —, Number 3. Commissioner Murray said, Number 3. Chairman Hair said, okay. Commissioner Rivers said, with the exception of Number 3. Chairman Hair said, okay we have a motion to approve the balance of the Action Calendar except Number 3. Commissioner Murray said, wait, wait, wait, wait. Chairman Hair asked, is there a second? Commissioner Murray said, wait a minute. And Number 13. Chairman Hair said, and Number 13. Commissioner Rivers said, and 13. Commissioner Odell said, second. Chairman Hair said okay, all those in favor —, we have a second. All those in favor of approving the balance of the Action Calendar with the exception of 3 and 13 vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Price and Thomas were not present.] Chairman Hair said, the motion passes.

[NOTE: See Items 3 and 13 for discussion thereon.]

ACTION OF THE BOARD:

Commissioner Rivers moved that the Action Calendar be approved in its entirety with the exception of Items 3 and 13. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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

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1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON MARCH 13, 1998, AS MAILED.

ACTION OF THE BOARD:

Commissioner Rivers moved to approve the minutes of the regular meeting on March 13, 1998, as mailed. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD MARCH 6, 1998, THROUGH MARCH 18, 1998.

ACTION OF THE BOARD:

Commissioner Rivers moved that the Finance Director is authorized to pay claims for the period 6, 1998, through March 18, 1998, in the amount of \$3,323,427. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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3. REQUEST BOARD APPROVE A SIXTH ANNUAL RESOLUTION TO REAFFIRM THE NECESSITY OF THE \$1.50 E-911 CHARGE.

Commissioner Murray said, I support the charge, but my question on this, is this being every telephone line that goes into a residence or a business and cellular phones and wireless phones and everything else? Mr. Abolt said, no, cellular —. Commissioner Murray said, this has come up in the past and there's been a lot of consideration about that. Mr. Abolt said, I'm not up to date with what the Legislature might have done on the issue of cellular phones, but unless they've done something to change, it does not apply to cellular phones. Commissioner Murray said, but it's every individual line —. Mr. Abolt said, yes, sir. Commissioner Murray said, that goes into a business or residence. Mr. Abolt said, yes, sir. It has not changed since 1991. Commissioner Murray said, two or three lines going into a home, every line should have to pay that. Mr. Abolt said, lines as opposed to instruments. Commissioner Murray said, instead of one per —. Mr. Abolt said, that's my understanding on it, sir. Lines as opposed to instruments. A person that has many phones on one line only pays \$1.50. Commissioner Murray said, I know about the many phones on one line, I'm talking about individual lines.

Chairman Hair said, every line is assessed. Mr. Abolt said, it's my understanding it's per line. Chairman Hair said, that is correct. The Chair will entertain a motion. Commissioner DeLoach said, so moved. Chairman Hair said, I have a motion. Do I have a second? Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Odell and DeLoach voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioners Price and Thomas were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner DeLoach moved to approve a sixth annual resolution to reaffirm the necessity of the \$1.50 E-911 charge. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Odell and DeLoach voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioners Price and Thomas were not present.]

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4. REQUEST BOARD APPROVE AN AGREEMENT WITH THE MPC TO CONTINUE OBTAINING AND PROCESSING DIGITIZED TOPOGRAPHIC MAPPING INFORMATION FOR THE COUNTY-WIDE DRAINAGE IMPROVEMENT PROGRAM, AND AUTHORIZE USING 1985-1993 SPLOST FUNDS THAT WILL BE REIMBURSED WHEN 1998-2003 SPLOST ARE RECEIVED. (NOTE: TRANSFER IS PART OF AGENDA ITEM IX-2.)

ACTION OF THE BOARD:

Commissioner Rivers moved to approve an agreement with the MPC to continue obtaining and processing digitized topographic mapping information for the County-wide drainage improvement program, and authorize using 1985-1993 SPLOST funds that will be reimbursed when 1998-2003 SPLOST funds are received. (Note: Transfer is part of Agenda item IX-2.) Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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5. REQUEST FROM KONTER DEVELOPMENT GROUP, INC., TO APPROVE THE CONSTRUCTION OF THE REQUIRED IMPROVEMENTS AND TO REDUCE THE SUBDIVISION BOND BY 50% FOR THE SETTLEMENT, PHASE 3. [DISTRICT 4.]

ACTION OF THE BOARD:

Commissioner Rivers moved to approve the request from Konter Development Group, Inc., to approve the construction of the required improvements and to reduce the subdivision bond by 50% for The Settlement, Phase 3. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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- 6. REQUEST FROM ENGINEER FOR WILD HERON DEVELOPERS TO RELEASE THE REMAINING BOND AND TO ACCEPT THE PAVING AND DRAINAGE IMPROVEMENTS FOR COUNTY MAINTENANCE FOR KINGS GRANT, PHASE 10 SUBDIVISION. [DISTRICT 6.]**

ACTION OF THE BOARD:

Commissioner Rivers moved to approve the Request from engineer for Wild Heron Developers to release the remaining bond and to accept the paving and drainage improvements for County maintenance for Kings Grant, Phase 10 subdivision. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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- 7. REQUEST FROM THOMAS & HUTTON ENGINEERING, AGENT FOR GATEWAY OF SAVANNAH, INC., TO RELEASE THE REMAINING BOND AND TO ACCEPT THE PAVING AND DRAINAGE IMPROVEMENTS FOR COUNTY MAINTENANCE FOR HENDERSON GOLF COMMUNITY PHASE 1-A. [DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Rivers moved to approve the request from Thomas & Hutton Engineering, agent for Gateway of Savannah, Inc., to release the remaining bond and to accept the paving and drainage improvements for County maintenance for Henderson Golf Community Phase 1-A. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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- 8. REQUEST FROM THOMAS & HUTTON ENGINEERING, AGENT FOR GATEWAY OF SAVANNAH, INC., TO RELEASE THE REMAINING BOND AND TO ACCEPT THE PAVING AND DRAINAGE IMPROVEMENTS FOR COUNTY MAINTENANCE FOR HENDERSON GOLF COMMUNITY PHASE 2-A. [DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve the request from Thomas & Hutton Engineering, agent for Gateway of Savannah, Inc., to release the remaining bond and to accept the paving and drainage improvements for County maintenance for Henderson Golf Community Phase 2-A. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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- 9. REQUEST FROM ZAREMBA CONTRACTORS, INC., DEVELOPER, TO APPROVE PART OF THE CONSTRUCTION OF REQUIRED IMPROVEMENTS AND TO REDUCE THE SUBDIVISION BOND FOR STEEPLE RUN AT SOUTHBRIDGE (A.K.A. PHASE 14). [DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Rivers moved to approve the request from Zaremba Contractors, Inc., developer, to approve part of the construction of required improvements and to reduce the subdivision bond for Steeple Run at Southbridge (a.k.a. Phase 14).

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

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**10. CITY OF SAVANNAH'S REQUEST TO ABATE CERTAIN TAXES IN TREMONT PARK SUBDIVISION.
[DISTRICT 8.]**

ACTION OF THE BOARD:

Commissioner Rivers moved to approve City of Savannah's request to abate certain taxes in Tremont Park Subdivision. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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- 11. REQUEST FOR NEW SUNDAY SALES OF BEER AND WINE POURING LICENSE FOR 1998.**
- A. PETITIONER: LISA M. CLARK, D/B/A THE UPPER CRUST RESTAURANT, LOCATED AT 140 JOHNNY MERCER BOULEVARD, #7. [DISTRICT 4.]**
 - B. PETITIONER: STEPHEN A. GROVE, D/B/A APPLEBEE'S NEIGHBORHOOD GRILL & BAR, LOCATED AT 4705 U.S. HIGHWAY 80 EAST. [DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Rivers moved to approve the following requests for new Sunday sales of beer and wine pouring license for 1998: (a) Petitioner Lisa M. Clark, d/b/a The Upper Crust Restaurant, located at 140 Johnny Mercer Boulevard, #7; and (b) Petitioner Stephen A. Grove, d/b/a Applebee's Neighborhood Grill & Bar, located at 4705 U. S. Highway 80 East. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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12. REQUEST FROM ST. PIUS X FAMILY RESOURCE CENTER, A COMPONENT OF THE CHATHAM-SAVANNAH YOUTH FUTURES AUTHORITY, FOR USE AS A PORTABLE BAND SHELL ON APRIL 4, 1998, FOR ITS FOURTH ANNIVERSARY CELEBRATION AND FOR WAIVER OF THE \$250 USER FEE.

ACTION OF THE BOARD:

Commissioner Rivers moved to approve the request from St. Pius X Family Resource Center, a component of the Chatham-Savannah Youth Futures Authority, for use of a portable band shell on April 4, 1998, for its fourth anniversary celebration and for waiver of the \$650 user fee. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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13. REQUEST FROM THE SAVANNAH AREA CHAMBER OF COMMERCE TO USE THE TYBEE PAVILION ON AUGUST 27, 1998, FOR A BUSINESS CONNECTION TO SHOWCASE TYBEE'S RESTAURANTS AND PLACES OF INTEREST AND FOR WAIVER OF THE \$650 USER FEE.

Commissioner Murray said, so we're getting ready to ask that we waiver the fee for —, can you give an example of the groups? Mr. Abolt said, sir, we don't have a policy now on waivers other than the staff has turned them down and referred them to y'all. What is happening is that you've seen a plethora of them. At your last meeting —, I believe the word's out, if you don't want to pay for a County facility, come to the County Commission and ask for it to be waived assuming we don't violate the Gratuities Clause of the Constitution and then the Board may choose to do this. In most cases —, in all cases that I understand, the user's fees are tied to some direct service that the County provides. So if these costs are not deferred by the used, then I would expect probably come late Summer or early Fall Mr. Golden will be coming in, in most cases, and saying his overtime account has been exhausted because there was some expectation for a reimbursement, maybe only partial, as to the expenditures to make these happen. But the issues on gratuities, as you all know, I've asked, at the suggestion of Attorney Hart, I've officially asked him to ensure that whatever we do does not violate the Gratuities Clause.

Chairman Hair said, the staff has —, y'all are working together to bring to us a way to deal with this in a policies way, right? Mr. Abolt said, yes, sir. Chairman Hair asked, do y'all have any anticipation how long that would take? Mr. Hart said, yes, sir. Chairman Hair asked, a month? Mr. Hart said, it ought to be ready by next meeting. The primary issue there —. Chairman Hair said, we need a policy of how to handle that. Chairman Hair recognized Commissioner Odell.

Commissioner Odell asked, can we also have as part of that, looking back the last year, or since it's been open, what exceptions this Commission has made? Commissioner Murray said, yes, I'd like to know. Mr. Abolt said, there's been a rash of them of recent times. We'll give you the history of it. Chairman Hair said, it would be nice to know. Mr. Abolt said, of all facilities. Correct, sir? Chairman Hair said, right, not just the band shell, but all those kinds of things.

Commissioner Murray said, I would like to know that too because right now, at the next meeting we're going to be discussing the Weightlifting Center and what kind of fees we charge for that. We're charging fees for the new swimming pool and the facility we have out there, but we're not charging to go on the pavilion and fish —, on the dock and fish. I don't think we should charge that; however, I think it's ridiculous that our Legislators have passed a salt water fishing license, regardless of what some of our staff people might think. I don't know how they're going to enforce it. How many docks are there around Chatham County on salt water? Are they going to go by everybody's dock and they're standing there with a fishing pole? I just don't see how you can enforce something like that.

Chairman Hair said, I think that's going to come out in that process. The Chair will entertain a motion. Do we have a motion? Commissioner Jackel said, so moved. Chairman Hair asked, we have a motion to what? Approve it or defer it? Commissioner Jackel said, approve. Chairman Hair said, approve. Do I have a second? Commissioner Saussy said, second. Chairman Hair said, we have a second to approve. All those in favor of approval vote yes, opposed vote no. Chairman Hair and Commissioner Saussy, Rivers, Jackel, Murray and DeLoach voted in favor of the motion. Commissioner Odell voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioners Price and Thomas were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Jackel moved to approve the request from the Savannah Area Chamber of Commerce to use the Tybee Pavilion on August 27, 1998, for a business connection to showcase Tybee's restaurants and places of interest and for waiver of the \$650 user fee. Commissioner Saussy seconded the motion. Chairman Hair and Commissioner Saussy, Rivers, Jackel, Murray and DeLoach voted in favor of the motion. Commissioner Odell voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioners Price and Thomas were not present.]

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Contract renewal to provide psychological services for inmates	Detention Center	Dr. Nic D'Alesandro	\$37 per hour	General Fund/M & O - Detention Center
B. Change Order No. 1 to the contract to provide and install an auditorium presentation center for the addition of a stage	SPLOST	Stage Front Presentation Systems	\$2,198	SPLOST (1993-1998) - Administrative Annex
C. Change Order No. 6 to the contract to provide hydraulic analysis for Pipemakers Canal for additional engineering/design work	Engineering	EMC Engineering	\$12,750	1998 Drainage CIP
D. Change Order No. 2 to the contract to renovate and improve the West Broad Street YMCA for additional services in the construction of the building	SPLOST	Walter Strong Company	\$2,824	SPLOST (1993-1998) - West Broad Street YMCA
E. Change Order No. 6 to the contract to provide engineering services for dike raising of DMCA 13A, 14A and Jones Oysterbed Island to survey and prepare construction plans and specifications to raise the dikes in DMCA 13B	Engineering	EMC Engineering	Not to Exceed \$15,162	General Fund/M & O - Harbor Maintenance (100% reimbursable by GDOT)

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
F. Change Order No. 8 to the contract to prove geotechnical design of the DMCA for the Savannah River Harbor to perform a geotechnical site investigation and evaluate the feasibility of deleting geotextile reinforcement from the DMCA 13A front dike	Engineering	GeoSyntec Consultants	Not to Exceed \$22,951	General Fund/M & O - Harbor Maintenance (100% reimbursable by GDOT)
G. Change Order No. 3 to the contract to provide for the construction of the Waters Avenue TSM project to upgrade and relocate water lines	SPLOST	APAC-Ga, Inc.	\$13,641	SPLOST (1985-1993) - Waters Avenue TSM
H. Change Order No. 3, to the contract to provide design services for the Pooler Parkway/I-16 Interchange for the bridge to be redesigned so that bulb tee beams can be used	SPLOST	Thomas & Hutton Engineering	\$9,000	SPLOST (1985-1993) - Pooler Parkway/I-16 Interchange
I. Change Order No. 2 to the contract for design services for the Pooler Parkway/U.S. 80 Interchange for the design of traffic signals required by GDOT at U.S. Highway 80	SPLOST	Thomas & Hutton Engineering	\$7,500	SPLOST (1985-1993) - Pooler Parkway/U.S. 80 Interchange
J. Award a contact for the relocation of Science Drive	SPLOST	Triangle Construction	\$836,687.47	SPLOST (1993-1998) - Reserve for specified project
K. Emergency Change Order No. 7 to the contract for engineering and design of the Hutchinson Island interchange Parkway to modify drawing to comply with new GDOT requirements relating to size and scale	SPLOST	Saussy Engineering	\$4,145.75	SPLOST (1993-1998) - Hutchinson Island Interchange
L. Change Order No. 4 to the contract for the construction of the Administrative Annex	SPLOST	Paul S. Akins Company, Inc.	\$46,591	SPLOST (1993-1998) - Administrative Annex

ACTION OF THE BOARD:

Commissioner Rivers moved to approve Action Calendar Items 14-A through 14-L, both inclusive. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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XI. FIRST READINGS

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

Mr. Chairman, just as a note, and particularly because these have been so old on first reading, please understand the staff in this case is now recommending that Items 1 through 6 be forwarded to second reading. Chairman Hair said, okay, so that will be at the next meeting. Mr. Abolt said 1 through 6 will appear on second reading at the next meeting. Chairman Hair said, second reading at the next meeting, okay.

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- 1. TO ADOPT "AN AMENDMENT TO THE EMERGENCY MANAGEMENT ORDINANCE OF CHATHAM COUNTY TO MODIFY CERTAIN PROVISIONS IN ACCORDANCE WITH THE GEORGIA EMERGENCY MANAGEMENT ACT AND ANY AMENDMENTS THERETO; REPEALING PRIOR ORDINANCES IN CONFLICT AND FOR OTHER PURPOSES;" AND TO APPROVE THE ACCOMPANYING "DECLARATION OF EMERGENCY" AND "DECLARATION OF EFFECTIVE ORDINANCES DURING EMERGENCY" FORMS. Hold on first reading until response is received from each of the municipalities.

ACTION OF THE BOARD:

This item will appear on the agenda for the next meeting as a Second Reading.

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- 2. TO ADOPT "AN AMENDMENT TO THE EMERGENCY MANAGEMENT ORDINANCE OF CHATHAM COUNTY TO PROHIBIT PRICE OVERCHARGING DURING EMERGENCIES; REPEALING PRIOR ORDINANCES IN CONFLICT AND FOR OTHER PURPOSES." Hold on first reading until response is received from each of the municipalities.

ACTION OF THE BOARD:

This item will appear on the agenda for the next meeting as a Second Reading.

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- 3. TO ADOPT AN AMENDMENT TO THE EMERGENCY MANAGEMENT ORDINANCE OF CHATHAM COUNTY TO ALLOW FOR TEMPORARY MOBILE/MANUFACTURED/INDUSTRIALIZED HOMES, TRAVEL TRAILERS, RECREATIONAL VEHICLES, AND MOBILE/MANUFACTURED/INDUSTRIALIZED HOME PARKS IN ANY ZONING DISTRICT DURING EMERGENCIES; REPEALING PRIOR ORDINANCES IN CONFLICT AND FOR OTHER PURPOSES. Hold on first reading until response is received from each of the municipalities.

ACTION OF THE BOARD:

This item will appear on the agenda for the next meeting as a Second Reading.

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- 4. TO ADOPT AN AMENDMENT TO THE EMERGENCY MANAGEMENT ORDINANCE OF CHATHAM COUNTY TO ALLOW FOR EMERGENCY BUSINESS LICENSES; REPEALING PRIOR ORDINANCES IN CONFLICT AND FOR OTHER PURPOSES. Hold on first reading until response is received from each of the municipalities.

ACTION OF THE BOARD:

This item will appear on the agenda for the next meeting as a Second Reading.

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- 5. TO ADOPT AN AMENDMENT TO THE EMERGENCY MANAGEMENT ORDINANCE OF CHATHAM COUNTY TO ALLOW FOR EMERGENCY BUILDING PERMITS; REPEALING PRIOR ORDINANCES IN CONFLICT AND FOR OTHER PURPOSES. Hold on first reading until response is received from each of the municipalities.

ACTION OF THE BOARD:

This item will appear on the agenda for the next meeting as a Second Reading.

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- 6. TO ADOPT AN AMENDMENT TO THE EMERGENCY MANAGEMENT ORDINANCE OF CHATHAM COUNTY TO PROVIDE A CURFEW AND CLOSED OR RESTRICTED AREAS DURING EMERGENCIES; REPEALING PRIOR ORDINANCES IN CONFLICT AND FOR OTHER PURPOSES. Hold on first reading until response is received from each of the municipalities.

ACTION OF THE BOARD:

This item will appear on the agenda for the next meeting as a Second Reading.

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- 7. THE MPC HAS REVIEWED THE AMERICANS WITH DISABILITIES ACT (ADA) TO IDENTIFY THE CONSISTENCY OF LOCAL PARKING STANDARDS WITH THE FEDERAL REGULATIONS. THE MPC RECOMMENDS THAT A TEXT AMENDMENT BE APPROVED REGARDING THE HANDICAPPED ACCESSIBLE SPACES.
MPC FILE NO. 98-12057-C
NO DISTRICT - UNINCORPORATED AREA**

ACTION OF THE BOARD:

Read into record as first reading.

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XII. SECOND READINGS

- 1. PETITIONER, HAROLD B. YELLIN, AGENT (FOR CLAUDE SHORE, OWNER) IS REQUESTING A TEXT AMENDMENT TO SECTION 4-5.2, B AND I USE SCHEDULE, TO ALLOW BOAT REPAIR SHOPS WITHIN THE B-N (NEIGHBORHOOD-BUSINESS) ZONING CLASSIFICATION. THE MPC RECOMMENDED THE REQUEST BE APPROVED.
MPC FILE NO. 98-12055-C
[NO DISTRICT/TEXT AMENDMENT/UNINCORPORATED AREA]**

Mr. Bill Saxman said, in summary, the petitioner is asking to amend the neighborhood-business zoning district to allow minor boat repair activities. The Planning Commission has recommended that the text be amended to include a new use, 84a, which would allow for a boat marine engine and repair shop —, minor repairs within a B-N district, subject to the provisions spelled out on page four and five of your report. Basically, it says they cannot have more than five boats stored on the facilities for more than five days outside. All the activities have got to be done on the inside of a building. The building's got to be designed of an architectural design to cut down on the noise. The hours of operation, if it's within 150 feet of a residence, it's got to be restricted to the hours of 8:00 A.M. to 6:00 P.M., Monday through Saturday, and that the site plan would have to be reviewed by the MPC and the County staff prior to issuance of any permits. There's also an amendment to the current automobile repair shop provisions in Use 84 and recommended that major automobile repair and engine work be allowed in those districts since they are repair shop districts and there were some conditions applied to those which are basically the same ones that are under the current regulation except it does allow for screening with an eight-foot opaque fence if they have outdoor storage and it would have to be approved again as part of a site plan. Chairman Pro Tem Murray asked, any questions?

Commissioner DeLoach said, yes, I've got some. I need a little bit more help with this. I must not be getting a handle on it. Where are these going to be located? Mr. Saxman said, B-N district. There's nine, I think, nine B-N districts throughout the community, but this particular one is out in the area of Shipyard, south of —, an area off Shipyard Road. There's a shopping center right at Ferguson and —, I'm sorry, Whitfield and Shipyard Road, and the gentleman there, Claude Shore, owns the property adjacent to the shopping center and he wants to relocate an existing use that's in that neighborhood that's technically been cited by the County for having an automobile and boat repair shop in the back yard, but the gentleman's been there probably for 20 years, and he's wanting to move from his residential area into this little shopping center, and he wants to be in that basic same neighborhood without having to move up to a commercial area, and of course that's basically a residential neighborhood and that B-N district is the only commercial sector in that area probably within two or three miles, or maybe it's four or five miles. He feels that he needs to stay in that business —, in that area because most of his clients are people that live in the neighborhood or fish in the neighborhood and the neighbors are the ones that are actually supporting his move to stay in that neighborhood. Staff had some problems with it, but the Planning Commission, after reviewing it, felt that this would be, with the standards that's been imposed here, it would be somewhere allowing minor boat repair, especially some of your neighborhoods that are boat oriented, to allow somebody to have a minor repair operation as long as these conditions applied. Commissioner DeLoach said, that would apply in all B-N neighborhoods in the County. Tell me what a B-N neighborhood is, and talk a little louder for me. I'm deaf or something, I don't know what it is. Mr. Saxman said, a B-N district is one of your more restricted Neighborhood-Business districts. You do have two others that are below that in intensity, but the B-N basically is a neighborhood convenience serving 30,000 or fewer persons, bread stores, grocery stores, food stores, convenience stores. Commissioner DeLoach said, all right, this is a shopping center that we're going to put this in. Is that what it says? Mr. Saxman said, adjacent to an existing shopping, right. Commissioner DeLoach said, but it's not in the neighborhood. Mr. Saxman said, well, this particular site is isolated from any adjoining residential property. The Woodmen of the World, I think, own the property to the North, which is sort of a recreational area, and there's a 100-foot power easement to the East of it, and then a couple of dwelling units within 300 or 400 feet, but most of that area right around that particular subdivision, or shopping center, is undeveloped or developed on large lots and the houses aren't right next to it. But these conditions we put on there that the —. Commissioner DeLoach asked, where's another one beside that one? Give me another one. Mr. Saxman said, well, there's about nine of them. Commissioner DeLoach said, all right, give me one right quick. Mr. Saxman said, there's —, on Montgomery Crossroads, there's a small little B-N district in the area just between Old Montgomery Road, south of Montgomery Crossroads. You've got some out on 204 out by Morgan's Bridge, there's a little small B-N district out there on Fort Argyle Road next to —. Commissioner DeLoach said, well, let me ask you this.

Talking about that, is that something that was already there and that the neighborhood built up around it? I mean, Morgan's Bridge and Joyner's Corner, that's been there a thousand years, but I mean —. Mr. Saxman asked, are you talking about existing use? Commissioner DeLoach said, yes, I'm saying did we develop this after the fact? I mean, this B-N was developed because the thing was already there and we couldn't very well just say it's not there because there it sits, so we said well let's just make this a B-N. Is that what we did there? Mr. Saxman said, well, when they adopted the zoning back in '62, the area that had been developed for different types of land uses were generally rezoned to that particular type of classification. Commissioner DeLoach asked, did this happen in '62? Did the B-N district develop in '62? Mr. Saxman said, yes sir. Commissioner DeLoach said, okay, so it was already there. Now the one we're talking about now —. Mr. Saxman said, it's an existing B-N district at that location. What they're doing is —. Commissioner DeLoach asked, what was it before this guy was going to put a boat —? Mr. Saxman said, a vacant tract of land. There's a duplex on it, but I don't think anybody knows Drakulis or not. Drakulis had a confectionary back in the 40's and 50's and it's right adjacent to a little shopping center, convenience store, laundry, I think, or a pickup —, washeteria [phonetic], and a little 7-11 type store. It's right at the corner of Shipyard and Whitfield Avenue. You remember, there's an old log cabin that used to be across the road from that. Commissioner DeLoach said, I was just wondering --. Mr. Saxman said, it was an existing B-N district when it was created, but this is a text amendment where they recommend —, they aren't rezoning. It's a text amendment to allow that use within the existing B-N district. Commissioner DeLoach said, I'm just curious about it. I've got a lady in my district that is a mother of children that cleans places at night, and just because she's located in a trailer park, she can't get an occupational license to go clean somebody's house somewhere else because, for whatever reason, we deem it not feasible to do that. Mr. Saxman said, she could be storing materials and all, but she could operate out of her trailer as a home occupation. I don't see where there would be a problem with that as long as she's not storing materials on her site or having other workers come there that would be dispersed with her. Commissioner DeLoach said, I had another lady got turned down several times because she lived in a trailer park because she wanted to go sell —. Commissioner Jackel said, let's stick with the issue. Commissioner DeLoach said, this is the issue. The issue is we've got to have a fairness involved in this thing when we develop these things because I've got people being turned down all the time by the Inspections Department based on the fact that they can't do this because, you know, we've got certain ordinances and this type thing, and yet we want to make an exception, and I don't have a problem with the exception here, it's more the fact that I've got a problem with the fact we've turned two other people down —. Mr. Saxman said, well, it's really not an exception. It's an existing commercial district. You're making an amendment to the district to allow a different use than has already been allowed. Commissioner DeLoach said, the point is we're making accommodations for someone that wasn't there, and I'm looking for the same thing for people who are trying to develop businesses in "trailer parks." Mr. Saxman said, well, you know, I think there's a difference there in the sense that you've got a residential area versus a commercial area, and you don't want to allow certain things in a commercial area —. Commissioner DeLoach asked, so B-N is not residential? Mr. Saxman said, no, that's a neighborhood-business. Commissioner DeLoach asked, but it's not in a residential area? Mr. Saxman said, it doesn't allow residential uses in a B-N district. Commissioner DeLoach asked, is it not in a residential area? Mr. Saxman said, all neighborhood businesses are generally in a residential area. Commissioner DeLoach said, all right, but it's in the neighbor —. Well, so is the lady that's in the trailer. She's in a neighborhood too. Mr. Saxman said, well, there's a little difference there. Commissioner DeLoach said, my point —, go ahead. I'm just —.

Commissioner Rivers asked, can we take that one up —? The same person called you called me too. Commissioner DeLoach said, okay. Commissioner Rivers asked, can we take that up when we [inaudible]? Commissioner DeLoach said, all right.

Commissioner Jackel said, I had several concerns about this thing. It talks about if the use is adequately enclosed and screened it would not adversely impact living conditions within adjoining residential areas. What I'm concerned about is the noise factor from these things, not so much the site factor, but the noise. Mr. Saxman said, well, it is required that if they are within 100 feet of any adjoining residential property they'd have to have it designed too a sound transmission class of at least 52, which in architectural terms, means [inaudible] have the building designed if you were standing on the property line basically you would not hear noise being emitted from outside that building. Any milder than what they allow in normal residential neighborhoods. Commissioner Jackel said, I'm having a little trouble hearing you. Mr. Saxman said, I said that they have a noise transmission rating on the building itself would have to be constructed —, if the use is located within 100 feet of a residential property line, they'd have to have additional architectural design on the building to assure that noise transmission would not go through that wall at a degree greater than what the normal noise would be allowed in a residential neighborhood. Commissioner Jackel said, I didn't see where it stated that. Mr. Saxman said, on page five, subsection e, the last page of the report. Subsection e says if located within 100 feet —. Commissioner Jackel said, that's going to do to the walls. All right, but —. Mr. Saxman said, all the activity has got to be conducted inside the building. Commissioner Jackel said, well, that's what this says, but —, and also they're going to operate starting at eight o'clock on Saturday morning. Mr. Saxman said, except —, six days a week, right, eight to six. Commissioner Jackel said, so somebody's got to be their earlier to open up and when people come up with their boats and never crank them up outside to look at them before they come inside I suppose. Mr. Saxman said, well, they aren't suppose to start operation, they aren't supposed to open the doors for business until eight o'clock, so if somebody drove up they're supposed to just sit there and wait until the guy opens the doors for business. Commissioner Jackel said, and then the other problem I had along that same line would be that even though they only operate the business Mondays through Saturdays, it's a very seasonal type business so it wouldn't really prevent people from working there on Sunday, they just couldn't take in new boats on Sunday. Mr. Saxman said, well, if they create any noise and they were operating the business, then of course the County would have a way of going back in to them and having them cease that operation if they create any noise beyond the levels that could be heard from the adjoining property lines. Commissioner Jackel said, what we're doing is we're changing the requirements that were allowed in these districts and we're telling these people that if one comes up near your house and you're within 100 feet of it, it's going to be soundproofed enough that you won't hear it if they start earlier than they're supposed to or if they're working on Sunday morning. We're also telling them that they's no way they'll be cranking these things up outside. We're also telling them that we in this County have gotten along without this until this point now, but there's some imperative that we must change this situation at this time. What is that imperative? Mr. Saxman said, well, one of the issues the Planning Commission felt was this gentleman's been in that neighborhood 20 some-odd years and he's basically in a residential setting now and he's working out of his back yard storage building built in his back yard, and the County has started getting complaints in that particular situation, and they've gone out cited him, and Mr. Anderson can address that better than I can or maybe Mr. Hart,

but I understand that the County has had complaints with the existing situation. Commissioner Jackel said, excuse me just a second. Can we get that microphone turned up. I can't hear. Mr. Saxman said, I'll try to speak louder then.

Chairman Hair asked, are there any more questions? Commissioner Jackel said, yes. What is the nature of the complaints that we've been receiving? Mr. Saxman said, well, jut the unsightliness of boats being stored around in his yard or on the adjacent properties. I guess, I haven't really heard. Greg Anderson maybe can answer that better than I can. Commissioner Jackel said, okay, so there have been complaints so now we're going to toughen up the requirements and we're supposed to feel confident that now —. Mr. Saxman said, well, right now there are no requirements because it's not a permitted use. I mean, he's not even supposed to be where he is right now. Commissioner Murray asked, where are they now? Mr. Saxman said, he's on Shipyard Road just before you take a hard left going into Burnside Island or Rio Vista area. Commissioner Jackel said, all right, so he's not doing well where he is, but he's going to do better in the new place. Mr. Saxman said, well, this particular location the Planning Commission felt was more isolated from any adjoining residential properties. He does have a 100-foot SEPCO easement to the East of him and a wooded area owned by The Woodmen of the World located to the North of him and the shopping center is located to the West and South of him, so he's set back off the road probably 60 or 80 feet. Commissioner Jackel said, well, we're not talking about rezoning that piece of property, we're going to change this so it would affect everybody who wanted —. Mr. Saxman said, right. Staff looked at it and there were nine other zoning districts in the County that would apply and, of course, one of the reasons we put the 30,000 square foot minimum in there is to make sure it wouldn't happen on some of the smaller Neighborhood-Business districts. You'd have to have at least 30,000 square feet of land area in order to operate this use and the lot would have to have at least 100 feet of frontage, which cuts down on it being in just a little strip center trying to rent a 20-foot stall or something of this nature out of a shopping center. He'd have to have at least 100 foot of frontage and 30,000 square feet. Most of the little shopping centers in Neighborhood-Business districts are fairly small, a convenience store or something of that nature. Commissioner Jackel asked, do you have any further questions, Commissioner Jackel? Okay, Commissioner Murray.

Commissioner Murray said, Bill [Saxman] what mainly concerns me with this is that at every meeting just about we have a recommendation for a text amendment to one of our zoning ordinances in the unincorporated area. Just at our last meeting we had one down at Whitmarsh Island. We denied that, but it was not necessarily what we might have done at that one location, but what it does in other locations. I have a problem having to address text amendments at every meeting to fit one person over here, but then it's going to do something else on the other side where that zoning is somewhere else. Mr. Abolt said, sir, that's why the Zoning Code change has to be accomplished. Commissioner Murray said, yes, I understand that and I know why it has to come to us, but I have a problem with the text amendments. If there's some other way to do it and work it out, fine, but I have a problem making text amendments to accommodate one location when, in fact, it takes care of anywhere in the County that that zoning is in place. Mr. Saxman said, well, staff had recommended yes, but the Planning Commission after hearing the evidence felt that it was justified as to —. [Unintelligible comments when Mr. Saxman and Commissioner Murray were speaking at the same time.] Mr. Saxman said, and then at this particular situation we do not feel that it's desirable to go in and rezone it to a higher classification, such as a B-C or Industrial classification because basically it's an isolated parcel of land that —. Commissioner Murray said, I think, if I'm not mistaken, take the place that you're talking about now is Whitfield and Shipyard Road, where that shopping center is. Mr. Saxman said, right. Commissioner Murray said, and the place where it's taking place right now is a residence, is where you go around the sharp curve heading to Burnside Island —. Mr. Saxman said, right. Commissioner Murray said, right on that curve on the left-hand side where that, I'd say, probably five or six years ago maybe, a high fence was put up because it was going on then. Mr. Saxman said, right. Commissioner Murray said, and they were told that they couldn't do it at that time, but it's still going on. Mr. Saxman said, I'm not familiar with those details, but there was a fence put up a few years ago. Commissioner Murray said, it's not in my district, but I think I remember that. Mr. Saxman said, right. Commissioner Murray said, and so it's still been going on all these years and yet now we're coming up for a text amendment so we can make it right to put it somewhere. I don't think so.

Chairman Hair said, the Chair will entertain a motion. Mr. Yellin do you want to make a —. Commissioner Murray asked, David [Saussy], isn't that your district? Commissioner Saussy said, yes.

Mr. Harold Yellin said, there are a number of things that need to be pointed out, which I'm not sure that all of you are aware of and —. Forgive me, for the record my name is Harold Yellin. I'm here today for Mr. Shore, who's the owner and the operator of Montgomery Shopping Center. As I think you do know, the property is zoned B-N. As Mr. DeLoach inquired about, it is a business area, it is a business zoned classification. The shopping center has been there at least since 1972, so I can tell you, as a matter of fact, there's been a shopping center there for at least 25 years, and before the shopping center, it was some form of a grocery store. Mr. Shore also owns an empty lot right next door to his shopping center. He and Mr. Sapp got together and recognized that this was an ideal location for minor boat repair, and it's ideal for a couple of different reasons, and please, if I may, let me share some of those reasons. Number one, this area is an intensely boat-oriented neighborhood. If you drive your car through this area, I was amazed at how many people have boats in their front yards and trailers in their front yards, and not everybody can afford to live on the river, but most of the folks out here, for lack of a better term, they're just boat happy. There are boats everywhere in this neighborhood, and we've received nothing but support from the neighborhood. They want someone like Mr. Sapp to stay in the neighborhood. They don't want to get in their trailers and drive five miles or ten miles to go somewhere out in who knows where to get their boat repaired, and we're talking again about minor repairs. Mr. Sapp can't afford to buy on the water. That's the ideal location. Let's do boat repairs on the water. Common sense tells you that the price of waterfront property is very high in this County, and it simply doesn't make sense for a sole proprietor like Mr. Sapp to try and buy waterfront property. Third, the lot we're talking about, this empty lot, measures 100 feet by 300 feet. It's a 30,000 square foot lot. There's lots of room for planting and when we were at the MPC, it was our idea —, it was not the MPC idea, it was our idea to say, look, before we build the first thing, we will submit a site plan. We will show you that this thing can be properly landscaped and buffered, and it's going to look good, and folks won't even know that it's there. The property —, I think Bill Saxman may have mentioned this, but it needs to be repeated. This property is bounded by Shipyard Road, it's bounded on the East by a 50-foot SEPCO right-of-way and an additional 50-foot, it's called Railroad Avenue. I think it's an abandoned right-of-way. It's bounded on the West by Montgomery Shopping Center, and on the North by Woodmen of the World. The building itself that we're proposing is going to be 150 feet off the

street. This lot is 300 feet long. It's going to be at least 150 feet off the street, behind a fence, and behind landscaping. Also —.

Commissioner Murray said, excuse me just a minute. I understand what you're saying is going to take place on this particular property if that happens. That's not our concern right now. Our concern is the other B-N districts throughout the unincorporated area they'd still be allowed to do the same thing in. And my question to that is, do you have the details about all the other B-N districts? Mr. Yellin said, at the time —. Can you give us all the specs on that of what's going on? Mr. Yellin said, of course, I can't right now, but at the time —. Commissioner Murray said, well, you should have done that then. [Inaudible.] Mr. Yellin said, a similar question —. Commissioner Murray said, and you change that a little bit. I thought somebody else sitting out there? Mr. Yellin said, they've got to make some changes, Commissioner Murray. Commissioner DeLoach said, looked pretty good there. Commissioner Murray said, I didn't mean to disrupt you. Mr. Yellin said, just thinking about my new [inaudible], and now I've got to come back to you.

Mr. Yellin said, if I could answer the question, it's a good question and one that was asked by the MPC. There are very few, if any, B-N districts that have a 30,000 square foot lot sitting right next to an existing B-N. It's very rare. If you look at the text amendment we're proposing, there are so many things on there done for protection because by the time you get through, in any B-N zone we felt comfortable that it would be a buffered, screened, every issue would be addressed no matter where the B-N district is. And I wanted to address something that both, I guess, Commissioner Murray and Commissioner Jackel asked. Why a text amendment? Why are we doing this? Is this the right way to go? And I have to tell you something interesting. When Mr. Shore first came to see me, he asked me did I think that this could go here, and I said let me look up in the books and I'll take a look. I was amazed to find out that you can do minor car repairs on this B-N district right now. I don't need a text amendment, I don't need a rezoning. I can do minor car repairs right now. I don't even need to be in front of you. The words minor boat repair do not exist in the Chatham County ordinance. As boat happy as we all are, nowhere in this ordinance is there a use that says minor boat repair, and that's why, with all due respect, this is a perfect candidate for a text amendment. I'm as surprised —, looking at your faces, I'm as surprised as y'all are. Never before has there been a use created for minor boat repair, and it seems to me that if you can do minor car repair here, you ought to be able to do minor boat repair. And, incidentally, the minor car repair has none of the restrictions we're offering today. I happen to have with me the actual code section, and it's Use 53, permitted in the B-N zoning classification, and it says minor auto repair and maintenance shall include installation of tires, carburetors, ignition parts, and other minor accessory parts as shall be incidental to the normal upkeep of an automobile. What we'd like to have here is something that we can do that's incidental to the normal upkeep of a boat. And it seems to me that if you can do it for a car, why can't you do it for a boat.

Commissioner Odell said, so, Harold [Yellin], basically you're saying is that the amendment would simply allow small engine repairs on a boat whereas they could do a Mercedes engine there already. Mr. Yellin said, right now, today without even coming before you. And it's kind of a —, and from time to time these things do come up before the Chatham County Commissioners where they're just gaps. There's nothing but a gap in the ordinance, and because there's a gap in the ordinance, that's why I think this is a likely candidate. Not an unlikely candidate, but a likely candidate for a text amendment. The kinds of work, and Mr. Sapp can tell you better than I can, he does work on control cables, he does work on wiring, he does absolutely no work on fuel tanks, and, yes, there are some things that do involve some noise, and at the Planning Commission they said where are you going to do that at, and he said inside the building. And the MPC made sure that all that work will be done inside. Incidentally, if we're working on cars, we can do it outside, and if we were doing cars, we could do it from four in the morning until twelve midnight because there's no time restrictions on cars. There's no buffer restrictions on cars. None of the things that we're offering up voluntarily for you today. So we feel like we've worked very hard to be here today. The restrictions include everything being done inside an enclosed building. It requires that any B-N district has to be a minimum lot size of 30,000 square feet. We do qualify and probably nobody else does. It requires visual buffers of not less than six feet. We've voluntarily agreed to do that. Hours of operation are restricted, unlike vehicles. We voluntarily agreed to do that. A site development plan is proposed. That was our idea. Chairman Hair said, Commissioner Odell has a question, Mr. Yellin. Mr. Yellin said, yes, sir.

Commissioner Odell said, not just a question, Harold [Yellin]. I think you've already sold us, but the only thing you can do at this point is lose the sale. I appreciate your information you always provide us with and I'm very grateful, but I'd like to call the question, and I'm prepared to vote for it. Mr. Yellin said, thank you, Mr. Odell. I wasn't sure —.

Chairman Hair said, we don't have a motion. Commissioner Saussy said, I'll make a motion. Chairman Hair said, we have a motion to approve. Commissioner Odell said, I'll second. Chairman Hair said, we have a motion to approve and motion to --, well, a second. A motion and a second to approve. Commissioner DeLoach asked, can I —, just one thing. Chairman Hair said, certainly, certainly.

Commissioner DeLoach said, this will now make it effective on all B-N districts that all these requirements are required now. Commissioner Odell said, absolutely. Commissioner DeLoach said, the buffer and all that goes with all B-N districts regardless of what —. Mr. Hart said, that's correct. Commissioner Saussy said, and 30,000 square feet. Chairman Hair said, it has to all be 30,000 square —. Commissioner DeLoach said, no, no. Commissioner Murray said, that's not what —. Commissioner Jackel said, that's not what it says. Chairman Hair said, the 30,000 square feet is. [Unintelligible comments were made when several Commissioners were speaking at the same time.] Commissioner Jackel said, just to boats. Mr. Hart said, just to boats. Mr. Yellin said, for this use in a B-N district all those things are required.

Commissioner Jackel said, but if you want to do automobiles it's as it always has been. Commissioner Saussy said, it's already there. Chairman Hair said, right, it's already there anyway. This motion is —. Commissioner DeLoach said, I was going to make it a little more restrictive, guys. I mean, don't get excited. Let's go.

Chairman Hair said, all right. All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Odell and DeLoach voted in favor of the motion. Commissioners Jackel and Murray voted in opposition. The motion carried by a vote of five to two. [NOTE: Commissioners Price and Thomas were not present.] Chairman Hair said, the motion passes. Mr. Yellin said, thank you very much. Chairman Hair said, thank you.

ACTION OF THE BOARD:

Commissioner Saussy moved to approve the petition of Harold B. Yellin, Agent (for Claude Shore, owner), requesting a text amendment to Section 4-5.2, B and I Use Schedule, to allow boat repair shops within the B-N (Neighborhood-Business) zoning classification as recommended by the Metropolitan Planning Commission. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Odell and DeLoach voted in favor of the motion. Commissioners Jackel and Murray voted in opposition. The motion carried by a vote of five to two. [NOTE: Commissioners Price and Thomas were not present.]

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2. AMENDMENT TO PENSION PLAN ORDINANCE TO INCLUDE TWO RETIREE MEMBERS, INCREASING NUMBER OF PENSION BOARD MEMBERS TO NINE.

Chairman Hair said, the Chair will entertain a motion. Commissioner Odell said, motion to approve. Chairman Hair said, I have a motion. Do I have a second? Commissioner Rivers said, second. Chairman Hair asked, any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Price and Thomas were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved to amend the Pension Plan Ordinance to include two retiree members, increasing the number of Pension Board members to nine. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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3. AMENDMENT TO THE PURCHASING ORDINANCE AND PROCEDURES MANUAL OF CHATHAM COUNTY TO AUTHORIZE THE LOWEST BIDDING RESPONSIVE CHATHAM COUNTY FIRM TO MATCH A LOWER BID FROM A NON-CHATHAM COUNTY FIRM AND THE LOCAL FIRM TO BE SELECTED TO PROVIDE THE GOODS OR SERVICES TO THE COUNTY AT A PRICE NO HIGHER THAN THAT OFFERED BY THE LOWEST BIDDING OUT-OF-COUNTY FIRM.

Chairman Hair said, the next one is one that I am happy to see. We had to go through a lot of gyrations to get here, but it's been a long time. All of us have worked on this, but this is a great one. Chairman Hair then read the item into the record.

Chairman Hair said, the Chair will entertain a motion. Commissioner Odell said, move to approve. Chairman Hair said, I have a motion. Do I have a second? Commissioner DeLoach said, second. Chairman Hair said, Commissioner Murray and then we'll vote on it.

Commissioner Murray said, I support doing something for this, but the way I understand it is that we'll put our bids out and whether they go out nationwide or just in Chatham County or in the State of Georgia, where they go, and those bids will come back in, and if someone outside of Chatham County is the low bid, then we will give the next lowest bid in Chatham County the opportunity —. Mr. George Lynch said, the lowest responsive Chatham County bid would be given the opportunity to match. Chairman Hair said, just to match. Mr. Lynch said, that's right. Chairman Hair said, if they don't match, it still goes to the out-of-town —. Commissioner Murray said, that's fine. My only question is what's to stop a local business and an out-of-town business working that together? Mr. Lynch said, collusion, I guess, sir. You for a scenario that would say it's possible. [Unintelligible comments when several Commissioners were speaking at the same time.] Chairman Hair said, it's also illegal. Commissioner Murray said, you could go to jail for a lot of things that people don't go to jail for any more, but that's beside the point right now.

Mr. Lynch said, I think you have to take a look at a guy taking a sizeable risk for probably a pretty small benefit. Do I say it couldn't happen? Heck, I had it happen to me in Thailand when I down there and we used to have what we called key housing with contractors. In the United States it could happen, but I think the risk is minimal. There's just not enough reward for the amount of risk you take.

Commissioner Murray said, I was hoping we could work on something as a percentage type thing, but —, and I guess I do have a little concern with this and one of them is the fact that I can see this long-term if we get out-of-town business, just like I know a lot of local people do to some of the people advertise we will match and beat the price by five and ten percent that you get somewhere else. A lot of times people will start giving you copies of invoices or estimate sheets showing a much lower price than what they would do it for anyway just to get the other person's price down further. That's my concern with that. I'll support it for I think we need to do something, but I just —, I still have some concerns with it.

Chairman Hair asked, any further discussions? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Price and Thomas were not present.] Chairman Hair said, the motion passes unanimously. Very good.

ACTION OF THE BOARD:

Commissioner Odell moved to amend the Purchasing Ordinance and Procedures Manual of Chatham County to authorize the lowest bidding responsive Chatham County firm to match a lower bid from a non-Chatham County firm and the local firm

to be selected to provide the goods or services to the County at a price no higher than that offered by the lowest bidding out-of-County firm. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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XIII. INFORMATION CALENDAR

1. PROGRESS REPORT ON GENERAL FUND CONTINGENCY ACCOUNT - M&O AND THE SPECIAL SERVICE DISTRICT (SEE ATTACHED).

ACTION OF THE BOARD:

Information status report.

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

ACTION OF THE BOARD:

Information status report.

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3. BRIEFING ON ROAD AND DRAINAGE PROJECTS.

Mr. Abolt asked, is there any question you might have of Mr. Bungard or Mr. Kaigler on the written road and drainage briefing, which is number 3?

Commissioner DeLoach said, yes. I need everything. Come on up and let's talk about it. Chairman Hair said, but not too long, right? Commissioner DeLoach said, give us a briefing on where we stand on —, start with all the major canal drainage programs. Pipemaker's Canal.

Mr. Al Bungard said, okay, well, both of the consultants, Thomas & Hutton for Hardin and EMC for Pipemaker's, have given us their recommendations and alternatives for those two canals. It was coincidental after we learned about the technology for the airborne laser terrain mapping. In both those cases, Hardin it was like \$40,000,000 solutions and we only have \$20,000,000 to do it, and in the case of Pipemaker's, as you know, it was closer to 40, 50, 38, 40, 50 —, \$20,000,000. Where we are now, is we now have that mapping. I am putting together requests for proposals formally to rerun both those analyses to come up —, to refine it. In the case of Hardin already we've reduced the canal size by five feet and eliminated a retention basin. I think the same opportunities there at Pipemaker's. On Placentia —, so then once we get that back we'll continue to design and go forward. The last thing on Pipemaker's is that we are also —, you've approved today an amendment for redesign of the interim improvements between around Highway 17 and GPA to increase that. That's about the area that the pump station will go. That's all, I think, pretty good news.

Commissioner DeLoach said, so tell me, I know we've got —, I know we're doing some changes there. What —, I would like for you to explain a little more detailed for the folks that might be watching it on TV as far as what we're doing in that area? Mr. Bungard asked, Pipemaker's and Hardin? Commissioner DeLoach said, right. The interim improvements. Mr. Bungard said, the interim improvements is basically a cleaning out and widening of the canal for the last, I think it's about three-fourths a mile, something like that, to improve the outfall, you know, to the river, and that will make a big difference. And then we'll keep working upstream with the other structural canal improvements. Commissioner DeLoach said, it should improve the situation for Garden City as far as flooding and —. Mr. Bungard said, oh, absolutely. We're also working with GPA, I've met with Jim Bradshaw [phonetic] and Law Engineering is handling their development, and we're looking for ways to mitigate the development they want to do and not additionally impact Pipemaker's Canal.

Commissioner DeLoach asked, what about Hardin canal now? Mr. Bungard said, Hardin Canal, we're —, I made a proposal also. We'll refine the analysis, and I'm putting in a proposal to start acquiring right-of-way, concurrently with doing the design so we can sort of fast-track a little bit more. Does that answer your question on those two? Commissioner DeLoach said, uh huh.

Chairman Hair asked, any other questions? Commissioner Murray asked, where do we stand with the next phases of the Truman Parkway. What can we look for? Mr. Bungard said, good news. The big change since last time was that we received the comments from the Federal Hi [sic] Administration on the draft environmental EIS. There were about nine. We are already addressing those through our consultant, Jordan, Jones & Goulding. We will set up a joint public hearing with the Corps of Engineers to take place in about eight weeks. We are required to have the EIS modified by that time. Then after the public hearing, we will also enter into what's called Section 7 Consultation with the Fish and Wildlife Service on the issue

of the impact of the eagles on Phase IV. Commissioner Murray said, my question to that. The eagles are no longer there, it's just the nest. Is that correct? Mr. Bungard said, well, at this moment the eagles are somewhere else, yes sir. Commissioner Murray said, they're somewhere else. This little exit around where we're having to do the change we're making is going to cost how much additional dollars? Mr. Bungard said, the latest one I have is about two and a half to three million construction and one-plus million for right-of-way acquisition. Commissioner Murray said, for one three with a next in it. Does that make a lot of sense? That the birds aren't even there, they've gone somewhere else to live? Mr. Bungard said, well, the —. Commissioner Murray said, you don't have to answer that.

Chairman Hair said, to bring you up to date, we were briefed at the CUTS policy meeting one day this week, Tuesday or whatever, Wednesday, and —, by the DOT, and they still have a Spring let date on Phase III and Phase IV with 36 months construction time, so they did not indicate —, and those questions were asked at the CUTS policy meeting, and they didn't seem to think that it would be any delay from that Spring let date. Mr. Bungard said, Spring of '99. Chairman Hair said, Spring of '99. Spring of '99 let date on both phases, III and IV, so I just thought I would share that with you.

Commissioner Murray said, one other question for Public Works. Chairman Hair said, okay. Is that everything for Al [Bungard], everybody? Okay, thanks, Al [Bungard].

Commissioner Rivers said, let me ask one quick —. What's the status on the lights at Truman and on President? Commissioner Murray asked, street lights or signals? Commissioner Rivers said, the light, the lighting. Mr. Bungard said, we put up one —, SEPCO put up one light on the corner at the entrance to the ramps. That was the light y'all approved and we put up. We don't have any current plans for additional lighting in that area. I hear a suggestion coming that we maybe ought to have more. Commissioner Rivers said, we would like to have some up there. It's pretty dark going up there. Mr. Bungard said, I'm also relooking the signage at all the termini, so I'll take another look at that. Commissioner Rivers said, take another look at the lighting out there. Mr. Bungard said, yes sir, I will.

Commissioner Jackel asked, the signage coming on the Westside Bypass that says Hunter Army Airfield and doesn't mention —. Mr. Bungard said, our Traffic Engineer is also looking at that and —. Commissioner Jackel said, and hospital, hospital. Mr. Bungard said, hospital. My suggestion is it says DeRenne and Hunter and then also change the other sign [inaudible] that says Lynes Parkway, I'd rather see Garden City, Port Wentworth. Commissioner Murray said, Martin [Jackel] wants a sign that say Attorney at Law, Martin Jackel. [Unintelligible comments when several individuals began speaking at the same time.]

Commissioner Murray said, my request is, what schedule are we on —, I know we had budget cuts, but what schedule are we on now for the medians on Highway 80 and also Johnny Mercer Boulevard? Mr. Michael Kaigler said, we're going to try to maintain them on a bi-weekly basis. Commissioner Murray said, the only reason I'm asking that, I know we've had an awful lot of rain and that's caused growth to come out a lot quicker than we normally have it, and it's getting pretty weedy out there. I know it's going to take some maintenance if you try to go in and cut. Mr. Abolt said, we expect still to have some complaints. Mr. Kaigler said, we're geared up to start around the 15th on our right-of-way maintenance.

Commissioner DeLoach asked, how did the contract work out this past year? Mr. Kaigler said, it worked out real well. As a matter of fact, on the first we'll be getting ready to start the new contract cycle. I think, for first-year experience I think we did real well, and -- with room for improvement, and we see some things that we're going to improve on with the upcoming cycle. So I think we did real well.

Commissioner Murray said, there's not near as much to cut on 80 anymore with all the planting that was done out there. It's just going to be at the end of each one of the intersections. Mr. Kaigler said, it's just going to be hard to get to.

Chairman Hair asked, any other questions of Mike [Kaigler]? Thanks, Michael [Kaigler].

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EXECUTIVE SESSION

Mr. Abolt said, it's my understanding we need to go into Executive Session for discussion of litigation, land acquisition and personnel for the purpose of considering appointments.

Commissioner Rivers moved that the Board go into Executive Session for the purpose of discussing litigation, land acquisition and personnel for the purpose of considering appointments. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Saussy, Price and Thomas were not present.]

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Following adjournment of Executive Session, the meeting of the Chatham County Commissioners reconvened.

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APPOINTMENTS:

1. CHATHAM COUNTY BOARD OF HEALTH

ACTION OF THE BOARD:

Commissioner Saussy moved to appoint Mary Ann Grant, R.N. to the Chatham County Board of Health to fill the position previously held by Grover Thornton, which term will expire December 31, 2003. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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2. METROPOLITAN PLANNING COMMISSION

ACTION OF THE BOARD:

Commissioner DeLoach moved to reappoint Rosemary Frame to a term which will expire April 1, 2001, and appoint Jane Feiler to fill the position previously held by Odilo Blanco, which term will expire April 1, 2001. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioners Price and Thomas were not present.]

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ADJOURNMENT:

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned.

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APPROVED: THIS _____ DAY OF _____, 1998

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

SYBIL E. TILLMAN, CLERK