

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, JULY 10, 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, July 10, 1998.

=====

II. INVOCATION

Chairman Hair introduced The Reverend John Savage, who gave the invocation.

=====

III. PLEDGE OF ALLEGIANCE

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

=====

IV. ROLL CALL

The Clerk called the roll.

PRESENT: Dr. Billy B. Hair, Chairman
Frank G. Murray, Chairman Pro Tem, District Four
David L. Saussy, District One
Harris Odell, Jr., District Five (arrived approximately 9:10 a.m.)
Ben Price, District Six
Eddie W. DeLoach, District Seven

ABSENT: Dr. Priscilla D. Thomas, Vice Chairman, District Eight
Joe Murray Rivers, District Two
Martin S. Jackel, District Three

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

=====

V. CHAIRMAN'S ITEMS

1. RESCINDING OF VOTE ON HENDERSON GOLF COURSE.

Chairman Hair said, the first item is under my section. Based on the due diligence and the inability that we've had getting some information I would recommend that we rescind the vote on the Henderson Golf Course and I'll entertain a motion.

Commissioner Murray said, Mr. Chairman, I move that we rescind that vote. Chairman Hair asked, do we have a second? Commissioner Saussy and Commissioner DeLoach said, second. Chairman Hair asked, any discussion.

Commissioner DeLoach said, yes. I wore this shirt on purpose today. I wanted to make sure everybody realizes that this is one of the developments that have taken place out at Henderson Golf Course and as we go along there will be additional developments out there and our taxes will increase —, well, let's say they'll decrease. Chairman Hair said, that's what I'm

worried about, Commissioner DeLoach, is that they're going to increase. Commissioner DeLoach said, it says The Links at Georgetown. It's all that development out there, it's all that, you know, [inaudible]. I just want to emphasize this group here that they're developing out there and we've got several apartment complexes going up out there, and I wanted everybody to realize that it was a good move on Chatham County's part, it was a good move on this Commission's part when we took that and developed Henderson Golf Course and made it into something that we can develop out there and be something we can be proud of. The same way it was at The Landings whenever we put the bridge across there. I know you want to go, but the fact of it is that we put the bridge across it to The Landings. There was a development that Mr. Hair lives at that is excellent and I thank every day the tax benefits we get from The Landings.

Chairman Hair said, okay, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Jackel, Odell and Thomas were not present.]

County Attorney Jonathan Hart said, Mr. Chairman, I'm going to direct the Recreation Authority then to cease their due diligence in regard to that. Chairman Hair said, okay, very good.

ACTION OF THE BOARD:

Commissioner Murray moved to rescind the vote taken on June 26, 1998, to refer to the Chatham County Recreation Authority the proposal for the sale of Henderson Golf Course. Commissioners Saussy and DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel, Odell and Thomas were not present.]

=====

PERSONAL PRIVILEGE - CHAIRMAN HAIR

Chairman Hair said, I like to —, as a point of personal privilege I'd like to recognize John Saxon Pierce, better known as Piccolo to us. Today is his birthday, and we'd like to wish him a happy birthday today. Commissioner Price said, happy birthday. Chairman Hair said, happy birthday, Piccolo. Commissioner Price asked, how old are you? Mr. Pierce said, I'm 67. Chairman Hair said, 67, very good.

VI. COMMISSIONERS' ITEMS

1. RECOGNITION OF GROUP FROM SHUMAN SUMMER CAMP/BEACON (COMMISSIONER ODELL).

This item was removed from the agenda.

=====

2. DIRECTIONAL SIGNAGE NEEDED TO COUNTY ANNEX ON CHATHAM PARKWAY (COMMISSIONER PRICE).

Commissioner Price said, I had the opportunity to go out and at the annex out on Chatham Parkway and meet with Tax Commissioner Danny Powers, and also be able to for the first time tour the County Police facilities and everything else that's there, but one thing that's very noticeable to not only the employees who have to give instructions for people to find the place, but there's not a whole lot of directional signage coming off of I-16, coming off of Chatham Parkway, coming off of Veterans Parkway, on how to get there. Since it is a facility that is a high public use, I think it would behoove us to do whatever we can as County staff, as well as whatever we can from DOT to encourage directional signage, and I'd like for us to look into that.

Chairman Hair asked, would it be appropriate to have staff maybe to get with GDOT —. Assistant County Manager Pat Monahan said, yes sir, we'll follow up on that. Chairman Hair said, and do that. I think that's a good point. Okay, thank you.

=====

VII. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. PRESENTATION TO SUMMER BONANZA FROM BACON SIZZLER 5K.

Chairman Hair said the next item is a proclamation to make a presentation. We had a request to postpone that until the next meeting, so we'll do that.

=====

CHATHAM AREA TRANSIT AUTHORITY

Chairman Hair declared the meeting of the Board of Commissioners in recess and reconvened as the Chatham Area Transit Authority.

* * *

Following adjournment of the Chatham Area Transit Authority, the Board reconvened as the Chatham County Commission.

=====

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.

=====

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.

=====

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.

=====

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.

=====

IX. ITEMS FOR INDIVIDUAL ACTION

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

1. REQUEST BOARD APPROVE THE FOLLOWING: CAPITAL IMPROVEMENT PROGRAM CONTINGENCY TRANSFER OF \$59,020 TO THE BURROUGHS PARK PROJECT AND GENERAL FUND M & O CONTINGENCY TRANSFER OF \$2,490 TO SUPERIOR COURT ADMINISTRATOR SALARIES AND WAGES.

Chairman Hair said, the Chair will entertain a motion. Commissioner DeLoach said, question. Chairman Hair said, all right. Let's get a motion. Commissioner DeLoach said, so moved. Chairman Hair asked, do I have a second? Commissioner Price said, second. Chairman Hair said, okay, questions, Commissioner DeLoach.

Commissioner DeLoach asked, what have we got on the Burroughs Community? Chairman Hair said, let's get back on stage here. Commissioner DeLoach said, on the Burroughs Community we're adding another \$59,000. What is that? Assistant County Manager Pat Monahan said, yes, sir. You might recall that the Commission adopted a budget for the Burroughs Community Center Project, and I don't have the number in front of me, but we had an estimate from the planner and it's one of those cases where the planner's estimate was low bid because when we went out to bid the purchasing community said that it was \$60,000 more so this is a transfer from CIP Contingency to cover to that difference based on the master plan that the Commission approved.

Chairman Hair said, we have a motion and a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

ACTION OF THE BOARD:

Commissioner DeLoach moved to approve the following: Capital Improvement Program Contingency transfer of \$59,020 to the Burroughs Park project and General Fund M & O Contingency transfer of \$2,490 to Superior Court Administrator salaries and wages. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

2. REQUEST BOARD DENY REQUEST FOR TAX REFUND OF JOHN MCCARTHY FOR TAX YEARS 1994, 1995 AND 1996.

Commissioner Murray said, I've talked with John [McCarthy] about this and, quite frankly, I think it's something that really needs to be approved. I thought John [McCarthy] was going to be here, but I don't see him. I think all of us probably received a letter on what's taking place with it. I don't know whether staff wants to make any comments or not, but I would move that we approve the refund for the last three years, which I think by law is all we can go back. Commissioner DeLoach said, second.

Chairman Hair asked, Pat [Monahan], do you want to give us —, we have a motion and a second to approve. Do you have any comments? Assistant County Manager Monahan said, Mr. Udinsky is here and can probably better explain the situation than I could, and also I believe Mr. Hart's familiar with it as well. Chairman Hair asked, Gary [Udinsky], do you want to explain this since the motion is to override staff's recommendation?

Mr. Gary Udinsky said, I'll try. Chairman Hair said, okay. Mr. Udinsky said, I think that the —, my memo to Russ [Abolt] of April 9th pretty well laid out the situation, but Mr. McCarthy through a [inaudible] in the process of appealing his values got a Board of Equalization decision of \$220,000. That decision was in 1997 and so that value is still on for 1998. In the process of that appeal Mr. McCarthy discovered that the square footage of his property was incorrect, and there's no —, we don't deny that the square footage was incorrect, but what we do feel is that the value that was established by my office, which was \$236,500, is the correct value regardless of the square footage because there's a number of different methods that are used, and a single data element doesn't necessarily make the entire appraisal bad, so on top of that the judicial decision is even lower than that and that's a judicial decision that has —, often has little to do with the real fair market value of the property, so but for those reasons and others, that's why we felt that the value, which is an important issue, is \$236,500.

Commissioner Murray said, I just want to see if I heard you correctly. You said the square footage being wrong and dropping it back down to the square footage that is actually there, rather than the square footage that was being used, would make no difference in the valuation on a piece of property? Mr. Udinsky said, no, I didn't say. I said when the square footage is only a single —. Commissioner Murray said, that's what I thought you said. Mr. Udinsky said, is only a single data element, and in this particular case, if you would look at the entire appraisal, both the cost approach which uses the square footage and the market approach which uses comparable sales, the value is borne out at \$236,500. Now, what actually happened was the square footage was about 300 square feet difference, between 3,100 square feet roughly and 2,800 square feet roughly. At the same time, the land value was \$11,000 too low. So when you correct land value and correct the square footage, you still end up with the same 236 or \$235,000 number, so what I'm saying is the single element —, you can't look at a single data element in a vacuum. You need to look at the entire appraisal and see if the [inaudible] conclusion is the correct conclusion because, frankly, all the data elements that go into the cost approach could be wrong, but if you rely more heavily on the market approach to value, ... cost approach and data elements don't really [inaudible]. Commissioner Murray said, but this has evidently been going on with the wrong square footage since he's been down there, and he just found that. Mr. Udinsky said, yes, but —. Commissioner Murray said, but by law he could only go back three years, I think. Is that correct? County Attorney Hart said, that's absolutely correct. Mr. Udinsky said, and the value that the Board of Equalization found is lower than all those years. So, you know, and I think that the important point is that we recognized this argument and we addressed it in the terms of the \$236,500 number. Commissioner Murray said, I understand what you're saying, and you know that you and I do not agree on the reevaluations that take place around here, and that's a fact, and I still feel like that we need to credit back for the last three years that little bit of difference. It's not that much money to begin with. I think in this case he is certainly right, and I know you've got your formulas you use and that type thing, but I just feel like it is the only fair thing to do. Mr. Udinsky said, I certainly understand that if the Commission wanted to make that refund, that's certainly okay with me.

Chairman Hair asked, could I ask a question of Jon [Hart]? Would this establish any kind of precedent for any future people that would come before us? County Attorney Hart said, no, sir. Chairman Hair said, in the —. County Attorney Hart said, the law's pretty clear that if it's illegally assessed, which isn't the case here, you can overturn it, or if it is erroneously assessed, i.e., there's a miscalculation, I think the point the Tax Office is making here is that they feel that the square footage is one factor in the total appraisal. If the Commission were to find that they believe that it was erroneously arrived at, then they certainly can make a decision to refund the taxes because one of the factors in arriving at that appraisal was not off. It's a discretionary call, the way I see it, by the Commission. Chairman Hair said, Commissioner DeLoach and then Commissioner Odell.

Commissioner DeLoach said, that's —, the reason I seconded Frank's [Murray] motion was the fact that a person had come before the Commission and made the request. All your information has been based on the erroneous number of X-amount of square footage, so the number you arrived at was in fact wrong based on your starting point, so I feel like that he's got every right to come back, you know, to ask for a refund. Now from this point on, if it's supposed to be whatever number you say it is, then that's fine, but this point back to that, which he's asking for, I feel like there's room for questions as far as [inaudible]. Mr. Udinsky said, right, and that's —, I'm agreeing with that. In fact, that's exactly the point I'm making. If you left the square footage at the wrong number, the value would have been the beginning number for 1997, which was \$265,000. When you correct the square footage, and I think we're saying the same thing, it brings the value down to \$236,500, but in that correction is also a correction in the land value number based on market conditions. So I think we're saying the same thing and we're making that correction, but the correction is to the fair market value of the property, not just some judicial value that the Board of Equalization determined.

Commissioner Murray said, but the point I was trying to make though is evidently the square footage has been wrong since he's been there. The evaluation on the land probably was right at one point. We can only go back three years. That's all we're asking for is three years, and I think that will probably equal out some of what's taken place since he's lived there. Mr. Udinsky said, well, I would debate how long the land value —. Commissioner Murray said, I'm not going to get in a debate with you. I mean, I made the motion to do it and that's what I'm supporting. As far as I'm concerned, you can call the question whenever anybody wants to speak. John [McCarthy] just came in. I don't know whether he wants to speak or not.

Chairman Hair said, for the benefit of Mr. McCarthy, who just walked in, we have a motion and a second on the floor, John [McCarthy], that we'll override staff's recommendation and approve the refund. That's what we're discussing, just for your benefit. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, Jon [Hart]. County Attorney Hart said, yes, sir. Commissioner Odell said, point of clarification. What information would we need to determine that the staff's report was in error? I don't think that data that we have here indicates that the error was the proximate cause of the —, this evaluation. County Attorney Hart said, well, that is —, you're statement there is correct from the Tax Commissioner's standpoint, okay. That is their viewpoint. There is an error in calculation, and it's a question of whether it's a harmless error in that the ultimate number was the right number, but if y'all find it that way, you should deny it. On the other hand, if you decide that there was in fact an error, then you have discretion to find that it was assessed erroneously and it ought to be adjusted, and that discretion's left to you folks. Commissioner Odell said, my concern —, my question is, that if we conclude that it is an error —, the amount of the error was \$265,000 not \$218,000. So if you were to back off the difference between those two and would —, I don't see how that would apply. Do you follow what I —? County Attorney Hart said, I think I do. In the agenda package we did a report from the County Attorney's office in which we laid out five possible alternatives that y'all could —, we thought y'all could reach at depending on what you want to decide. One of those is to back out the number totally on the square footage difference, based on square footage value, which was the number \$573.42. The other one was based on the square footage plus other factors, and I would assume that would include the land revaluation and everything, which was \$955.70. If you wanted to correct the difference solely for the square footage area for the years '95 and '96, it would be \$573.42. Now, you can —. Chairman Hair said, but the motion on the floor is to give the entire refund. That's the motion that we have.

Commissioner Odell said, I guess my question is that if we conclude that they have made an error and the error is based upon the square footage, it seems to me that the only conclusion, therefore, if we use that as our logic, would be \$573.42. County Attorney Hart said, I don't argue with that at all. Commissioner Odell said, I mean, the logic is that the square footage is the error and if you follow that logic to its ultimate conclusion, then you back out that error factor, it has to only be \$573.42. County Attorney Hart said, I would not disagree with that logic.

Chairman Hair recognized Commissioner Price.

Commissioner Price asked, the motion is including 1994? Chairman Hair said, the motion is to do the entire refund, is that right? Commissioner Murray said, three years. Chairman Hair said, three years and for the full amount, not just the amount for the square footage. Commissioner Price said, so it would be for '94, '95, '96? Chairman Hair said, that's correct. County Attorney Hart said, your staff report from our office states that since the notification wasn't made until '97, we feel the statute of limitations has run on the 1994 claim and that the refund can only be for '96 and '95. Commissioner Price asked, what happened —? Commissioner Murray said, for '95, '96 and '97. Commissioner Price asked, what happened to '97? County Attorney Hart said, he's already received his refund for '97. Commissioner Murray said, oh, he did receive it, so we've got two years. Chairman Hair said, it's just '95 and '96. Commissioner Price said, and those two years is the \$573.42. County Attorney Hart said, yes, sir. Chairman Hair said, right, but that \$573 [sic] would be for the error. Commissioner Odell has a point to make. County Attorney Hart said, that would be Alternative Two. Chairman Hair asked, Commissioner Murray, is that how you understand to be the motion, \$573.42. You didn't put a figure in your motion. Commissioner Murray said, I did not put a figure, but I'd like to hear from John [McCarthy] if he wants to speak on it. Chairman Hair asked, Mr. McCarthy, would you like to make any comments before we vote? You're certainly welcome to do that. Commissioner Murray said, and I want us all to understand what we're doing.

Mr. John McCarthy said, gentlemen, good morning, and I really apologize for being late, but I underestimated the traffic and parking situation this morning. I think that everything that I could say has been documented to Mr. Hart, Mr. Abolt and Mr. Udinsky, and I've tried to summarize my feelings to you folks in a brief memo the other day. I guess I would point out, if it hasn't already been pointed out, that the reduction from the very beginning of the appeal process for 1997 up until the final determination, with which I am in agreement, brought the market value of my property down from \$265,000 to \$218,000. That is not a small number and my whole contention from the beginning has been I recognize the three-year limitation, but since there's a probability that the square footage been incorrect from the day the house was built until today, I would just ask that you take into account the possibility that you could include 1994 on the basis that I did start this appeal process long well within the three-year limitation even though it has taken a year to get to this point. Other than that, I think you've covered it.

Chairman Hair said, I —, since the attorney disagrees with that, you could not go back to '94, is that correct? County Attorney Hart said, yes, sir. Chairman Hair said, okay. Commissioner Murray asked, well, could you explain why because the appeals process started. County Attorney Hart said, an appeal before y'all, under the statute, can only go back three years, and even though he may have an appeal before the Board of Equalization, that is not —, that can still be time barred under this. We're talking about refunding it for '97, which has been done, and now we're talking about the years '95 and —, '96 and '95, so that's three years. Commissioner Saussy asked, we couldn't do but three? County Attorney Hart said, that would include other —, considering the other factors. Commissioner Saussy said, right, it would be compensating [inaudible].

Chairman Hair asked, okay, any further questions? Commissioner DeLoach said, I want to amend my motion to —. Chairman Hair said, well, he made the motion, Frank [Murray] made the motion, you seconded the motion. Commissioner DeLoach asked, can I amend my second? Chairman Hair said, well, he's going to have to accept it. Commissioner Murray asked, what's your amendment? Commissioner DeLoach said, it's to go with Harris' [Odell] recommendation based on square footage —. Chairman Hair said, the \$573 [sic]. Commissioner Price said, it would be Alternative Two. Commissioner DeLoach said, Alternative Number Two. Chairman Hair said, Number Two, Alternative Number Two. Commissioner Murray said, so that gives you a full refund for '95 and '96. You've already received it for '97? Mr. McCarthy said, yes, sir. Chairman Hair asked, will you accept that? Commissioner Murray said, well, I don't have much choice. If I don't, it's not going to pass anyway. Commissioner Odell said, Frank [Murray], I think the only thing this does is that for future issues similar to this it provides us a logical, rational way of reaching logical, rational conclusions. Chairman Hair said, yes, it's a much more logical legal examination —.

Commissioner Murray said, I would accept that, but I would like to know why it took this long through an appeal process to get to us. It was started back in, what, early 1997? Mr. McCarthy said, July '97, but this is —. Commissioner Murray said, July '97 and here we are a year later. Chairman Hair asked, Gary [Udinsky], can you answer that? Mr. Udinsky said, I think I can. When Mr. McCarthy talks about the appeal process, he's talking about the appeal process in front of the Board of Equalization. He has a Board of Equalization determination. He probably filed that appeal in July of '97, those hearings took place during the last quarter of '97, I imagine, and a decision was rendered, and the refund that we're all talking about for '97 is a refund because of a Board of Equalization decision and not because of the appeal that he's now making to you under the refund statutes. Mr. McCarthy said, those are two different things. Mr. Udinsky said, yes. Commissioner Murray said, well, in other words, you said he can just appeal to the Commission and bypass y'all? Mr. Udinsky said, that —, Jon [Hart] will have to answer that, I don't know. County Attorney Hart said, he could, if there was a ultimate decision and the tax had been paid, he probably could have gone directly to the Commission for the three years under the statute because he would be alleging either illegally collected tax or an erroneously collected tax. Yes, sir, he probably could have done it that way.

Chairman Hair said, okay. Anybody —, any further questions. All right, the motion is to approve the refund for '96 and '95, Alternative Two in your staff report, and we have a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.] Chairman Hair said, the motion passes. Thank you. Mr. McCarthy said, thank you very much for your time.

ACTION OF THE BOARD:

Commissioner Murray moved to approve the request of John McCarthy for tax refund for tax years 1995 and 1996 in the amount of \$573.42. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

PERSONAL PRIVILEGE - CHAIRMAN HAIR

Chairman Hair said, before I go to the next item, I'd like to recognize we have a distinguished guest in the audience, Dr. Fay, Martha Fay, who —, we're glad to have you, Dr. Fay. She's —. Dr. Fay said, thank you, and I'm representing the League of Women Voters. Chairman Hair said, very good. She was, as most of you know, President of the School Board for many, many years and very active in our community. We're glad you're here.

=====

3. 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.

- **CLERK OF SUPERIOR COURT - CLERICAL ASSISTANT III (1 POSITION)**
- **BOARD OF ASSESSORS - APPRAISER I (2 POSITIONS)**

Chairman Hair said, the Chair will entertain a motion. Commissioner Odell said, I'll make the motion. Chairman Hair asked, do I have a second? Commissioner Price said, second. Chairman Hair said, second. All those —. Do you have a question?

Commissioner Murray said, not a question, just a comment. You know, from what I've seen of the reevaluations of these properties, approximately 40,000, I don't know why they would need another appraiser. Y'all are doing pretty well.

Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Odell, Price 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, Jackel and Thomas were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request to waive the 90-day hiring freeze and authorize Human Resources to advertise the following positions: Clerk of Superior Court - Clerical Assistant III (1 position); Board of Assessors - Appraiser I (2 positions). Commissioner Price seconded the motion. Chairman Hair and Commissioners Saussy, Odell, Price 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, Jackel and Thomas were not present.]

=====

4. PUBLIC HEARING ON IMPLEMENTATION OF 911 WIRELESS CHARGE. REQUEST ADOPTION OF RESOLUTION FOLLOWING HEARING.

Chairman Hair said, we will now open a public hearing on implementation of 911 wireless charge. For the benefit of the audience I'll open it up and then we'll --, if staff wants to make any comments, they can, but basically the State has passed a law that allows the charge of the dollar per month for cell phones as well as the hard wired lines, and option under the law is that we either adopt it in total or we reject it in total. We don't have the option to modify it, and so that's basically what's before us today, and after the public hearing, if the Commission chooses to make a —, to adopt the resolution or to reject the resolution, we have that authority. First, I'll ask is there anybody in the audience that would like to speak on the 911 charge since this is a public hearing. Are there any —? Mr. Ken Earls asked, you take questions or just comments? Commissioner Price said, comments. Chairman Hair said, if you have a comment or a question, Mr. Earls, you're certainly welcome to make it.

Mr. Earls said, my name is Ken Earls. I've got a question about this. I've heard a little about it. Would this dollar charge help to extend the 911 system to allow when you make a call from a cell phone for them to know your number? I've heard that, is that what it is? Chairman Hair said, it is dedicated totally to 911. It can only be used for 911 services. It can't be used for anything else, but whether or not it specifically allows that, Mr. Earls, I don't know. Does anybody —, staff, would you know that? County Attorney Hart said, I think that's a technical question. They're going to try to enhance the program as the money comes in. I just don't know whether we would have —. Chairman Hair said, we have a —, the Lieutenant here is going to tell us the answer right here.

Lt. Craig Hopkins said, yes, sir, it will when the data is available from the cell phone company. Chairman Hair said, okay. So, does that answer your question, Mr. Earls? It will be available once the data is provided by the cell phone company. Mr.

Earls said, I just don't understand what good that will do. If you're mobile, they won't know where you are. Lt. Hopkins said, the next part of this is to add longitude, latitude and elevation, so we will know where you are, when that is available also. Chairman Hair said, and also you could be calling from mobile even though you are stationary. You could give them the location. You wouldn't have to be moving to call from cell phones. In fact, the State Patrol recommends that you don't do that anyway so —, of course, none of follow that, but —. Mr. Earls said, I don't drive and use the phone. Chairman Hair said, well, some of us do. Any questions or comments from the —, Commissioner Murray.

Commissioner Murray said, you know, we've discussed this before and we've had a lot of discussion on it. You know, what this is going to do is penalize those people, which is quite a few, that are using these phones. Doesn't this —, I don't know how it all works. I do know it goes back in and the company that you purchase your service through is supposed to be paying the fees on these lines to begin with, so they're already paying the 911 charge on those lines, is that right? County Attorney Hart said, they are —, you've got the option to impose a dollar a month tax on the phones —. Commissioner Murray said, I understand that, but it seems like every time we find an option to tax somebody on something else, we do that, and I'm tired of seeing taxes go up. Everybody's property tax is getting ready to go up right now. We're going to have other taxes coming in and I just am not in favor of taxing anything else. I think we've done enough of it, and we shouldn't tax somebody just because we have an option to do that.

Chairman Hair asked, okay, any further questions? Okay. Commissioner DeLoach said, I've got one. Chairman Hair said, okay, Commissioner DeLoach.

Commissioner DeLoach said, as far as that goes, what's the impact —, dollar impact on this wireless cost. How much money are we collecting? Lt. Hopkins said, I don't think we've been able to project that yet. Chairman Hair said, I will say this —. Assistant County Manager Monahan said, it's a little bit difficult the way the law requires it. It's based on the address of the subscriber, so until we can get that information, probably through the first billing, we're not going to know. Chairman Hair said, and also, too, Commissioner DeLoach, this only applies to —, from our action today, if we take any, it will only apply to the unincorporated areas. It would not apply to any municipality. They would have to take separate actions if they choose to do this. This would only apply to cell phones that are domiciled in the unincorporated areas. Commissioner Murray said, which is another thing. Chairman Hair said, so that's the way that the law is written. Commissioner DeLoach asked, is it all households now that are charged a certain fee? Commissioner Murray said, yes. Chairman Hair said, all lines are currently charged, yes. Commissioner Murray said, if you have multiple lines, every line is charged.

Commissioner Saussy said, so what this does is anybody that has a telephone of any sort is charged —. Chairman Hair said, it just basically adds cell phones to the package in terms of the charge is basically what it does as opposed to —.

Commissioner DeLoach said, I'm going to make a motion we don't approve it. Commissioner Murray said, second. Commissioner DeLoach said, because I'm already paying a tax one time. I don't need to —. Commissioner Murray said, you pay a lot of taxes that you aren't aware of. Chairman Hair said, the only question I would have and, Lieutenant, maybe you could answer this, is if we don't pass this resolution, is there going to be sufficient funds to fund 911 in the future because what's going to happen if we deny this and we don't have funds, then we're going to have to go back to the general taxpayers to fund 911. Commissioner Murray said, we're doing that right now. Chairman Hair said, so if —, well, that's what I'm saying, as opposed to a charge. Would you —, could you estimate that we do or do not have sufficient funds, say, projecting out a couple of years if we did not adopt this resolution? Lt. Hopkins said, we already go to general funds for 911 charges. The 911 fee does not cover the entire dispatch center. Chairman Hair said, so this would mean that we would continue to do that, probably at a higher level, if we did not pass this resolution? Lt. Hopkins said, it could, yes sir. Commissioner DeLoach said, but it's still —, I mean any way you look at it it's still a tax. I mean, it doesn't matter, it's —.

Commissioner Murray said, it's a tax imposed only on the people that have registered cellular phones in the unincorporated area is what we're getting ready to approve —.

Chairman Hair said, all right, the Chair will entertain a motion then. Commissioner Murray said, you have one. Eddie [DeLoach] made one to deny it and I seconded it. Chairman Hair said, we have a motion and a second to deny. All those in favor of denial —. Mr. Earls said, you've got to close the meeting. Chairman Hair said, pardon. Mr. Earls said, you've got to close the hearing. Chairman Hair said, well, there's nobody else here, so obviously we've allowed everybody to speak, Mr. Earls.

Commissioner Price said, please, before we do this —. Can we fix the sound system to begin with? Mrs. Earls said, they're working on that. Commissioner Price said, okay, but before we take this vote, Sheriff St. Lawrence just walked in. He has been one of the most active supporters and folks getting the 911 system in place. I don't know if you're aware, but what we're fixing to do is to deny the 911 charge on wireless telecommunication systems. Sheriff St. Lawrence said, yes. Commissioner Price said, and I don't think —, I think we're reacting too quickly to this. I think we need to understand why this is needed before we take this vote, and I would hope that you could come and save the day for 911 on this.

Sheriff St. Lawrence said, well, a lot of people supported this throughout the State. The law enforcement agency —, it supports the 911 Center. It allows you to staff it properly and it pays for it. I don't have a problem with it. I think it's something that you should do, but that's my opinion, although I don't have anything to do with the 911 Center no more, but it does staff the 911 Center and pay the bills. That's what it amounts to and they get a lot of calls from the cellular phone users and so forth, and they should pay their share like everybody else. At least that's the way I look at it.

Chairman Hair said, okay, we have a motion and a second to deny. Commissioner Murray said, I've got a comment. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I agree with what you're saying and I think we need to do this, but at the same time those of us that use cellular phones pay that on our home phones, too, which we probably normally never call through the home phone

very seldom. A lot of the calls do come from cellular phones. I use it myself when I see something happening on the road somewhere, but I don't think the people should be penalized for that, and I —, you know, if we —, the 911 I think is a good system and we need to keep that system and we need to put funds in it, but I don't think we need to be taxing just because we found another way we can tax somebody.

Chairman Hair said, okay. Sheriff St. Lawrence said, if you feel like you don't need to do it, I just think it's —, everybody is going to do it. As a matter of fact, I think in yesterday's Atlanta paper where Clayton County just did that, passed a resolution. Commissioner DeLoach asked, can I —, let me —, can I amend my motion then? Chairman Hair said, well, it depends. I checked with the attorney this morning, and we either have to approve it —, we can't modify how we do it. We either have to adopt it as it's written in the law or reject it. I just wanted to make that comment. Commissioner DeLoach said, well, I was just wondering —, okay, that's fine. I mean —. Chairman Hair said, we cannot make any —, is that correct, Jon [Hart]? Is that your interpretation? County Attorney Hart said, yes. They gave us the opportunity to either adopt it or —. Chairman Hair said, you either take it as it is —, you know, you can't limit it or change it in any way. We either have to adopt the resolution under the law or we have to reject the resolution. Commissioner DeLoach said, nobody knows what kind of money we're going to generate with this thing. Assistant County Manager Monahan said, no, sir, but I think —. Commissioner DeLoach said, with the tax —. Assistant County Manager Monahan said, you have to understand. As I recall, when the County adopted the 911 surcharge, it must have been maybe 1988, 1989, it actually rolled back a portion of the general fund revenue that went into the 911 system, and you might make that a condition in this case, that the dollars that are raised as a surcharge would then reduce the general fund contribution by those —, by that amount. So we're just —, it's more of a user fee that's replacing general funds as opposed to supplementing the 911 —. Chairman Hair said, which basically would have happened anyway, but you're just saying we could put that —, enforce that in the —. Commissioner DeLoach said, the original one was done that way, right? Assistant County Manager Monahan said, yes, sir, the original motion was.

Chairman Hair recognized Commissioner Saussy. Commissioner Saussy said, I think also that probably all those —, there are some people out there that don't have home phones or anything like that, that do have cell phones. Chairman Hair said, that's right, and are not paying now. Commissioner Saussy said, one being a lot of the drug dealers.

Chairman Hair said, all right, we have a motion and a second to deny. Commissioner DeLoach said, can I [unintelligible comments made due to laughter and several people speaking at the same time]. Chairman Hair said, let's go ahead and vote on that motion then. Commissioner Price said, he can rescind his motion, Billy [Hair]. Chairman Hair said, the second —. Commissioner Price said, the second doesn't matter if he wants to withdraws it. Okay, he withdraws the motions, so it doesn't make any —. Now the Chair will entertain another motion. Commissioner DeLoach said, approve. Commissioner Price said, second. Commissioner DeLoach said, I want to make it contingent based on reduction of the general fund. Chairman Hair said, well, I certainly hope that would be done anyway, but we can put that as part of the motion. Would you accept that? Commissioner Odell said, I'll second. Chairman Hair said, we have a motion and a second to approve. All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Odell, Price 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, Jackel and Thomas were not present.] Chairman Hair said, the motion passes. Commissioner Price said, thank you.

ACTION OF THE BOARD:

Commissioner DeLoach moved to adopt a resolution to impose a wireless enhanced 911 charge at the rate of \$1.00 per month per wireless connection effective on the first day of December, 1998, contingent upon a reduction in the general fund. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Saussy, Odell, Price 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, Jackel and Thomas were not present.]

=====

PATTY'S MOBILE HOME PARK (Commissioner Price)

Chairman Hair said, before I get to the Action Calendar, Commissioner Price has requested unanimous consent to add an item on the, under his section to deal with a mobile home issue. Do we have unanimous consent, does anybody object —?

Commissioner Murray said, well, that's not what [inaudible]. Chairman Hair said, yes, but he wants to put it down. Commissioner Price said, there's someone who lives at the mobile home park that wants to talk to us about it that's here, and even if we have to carry our discussion into Executive Session, I'd like to give him the opportunity —. Chairman Hair asked, does anybody object? Okay, Commissioner Price.

Commissioner Price said, this is a situation going on out at some —, a place called Patty's Mobile Home Park, which is off Waters Avenue. Evidently, the owner of the park and the land itself is going to sell that land or do something different and there's about 20 to 25 citizens in mobile homes —, with mobile homes in that area that are going to have to move, and they're going to have to move, it's my understanding, by October 1st. We have —, there's a Mr. Kevin Williams here that is saying he's representing the group of owners from the mobile home park, if you'd like to come up and talk to us. While you're doing that, what I'll say is this, the problem we have is there is an ordinance on record, the County Factory Built Housing Ordinance, which regulates by year what can be relocated into the unincorporated area of the County and what cannot. Anything that's older than 1976 model mobile home cannot automatically be relocated in the unincorporated area. That's because in June —, June 15th, 1976, HUD finally came in and decided that they needed to oversee the manufacturing of mobile homes. Prior to that date, a lot of mobile homes were built —, it doesn't mean everyone of them, but a lot of them mobile homes were built with inferior quality with aluminum wiring and they were fire traps. I had one guy that moves these mobile homes a lot, he calls them wobble boxes. They weren't built very well. That's not the case in every instance. Some mobile homes are built

better than other mobile homes. Some mobile homes were known as the Cadillacs of the mobile homes back then by different names, but this is a real problem because some of these people, a lot of them are elderly in this mobile home park, aren't able to move and where are they going to go, what's going to happen to them. If they can't move because they've got older mobile homes, the real question is, you know, what is it that's going to happen to these individuals and where are they going to go live and what's going to happen to their mobile homes, they can't move them anywhere else, so —. Mr. Williams, if you'd like to address us, I don't know if I've adequately prefaced what you have to say.

Mr. Kevin Williams said, yes, let me add a little bit more. Chairman Hair said, if you'll state your name for the record. Mr. Williams said, my name is Kevin Williams. I have owned a trailer in there for about five years and my father, Jack Williams, had asked him if it was for sale and he said no. So that's what made me more comfortable because there were some rumors, but since then I have bought another one three months ago, and it's a '74, but like I say, I call it a Cadillac because it came up from the North, it has storm windows, instead of 2 by 4's it has 2 by 2's. It's very nice. The gentleman that worked at Gulfstream that owned it before kept it up really up to par, but I'm really not the one that I'm so worried about. There's elderly people there. Patty originally had it for elderly people. I would say, 30%, 40% is retirees, and there's some people that have like a 69 that has copper wiring, but they can't move it. I mean, some of the older ones are better than the newer ones, but I don't think that's really the issue. I think the issue is —, several people, in fact, one young lady who has a family of two and her husband, and they're trying to get off of housing and they're trying to make a step up —, I mean, we don't want people on public assistance, so, I mean, this is a step for them. I don't know why it's frowned on upon so much, but this is a step for them. We're trying to keep them off of that system, but she herself, along with her family, had asked Mr. Wells if it was for sale about three months ago, and he said no, it has never been for sale and it is not for sale. Of course, he won't give anybody any kind of contract when you move in there, but as far as the trailers being unsafe, I would like to see maybe the government or some type of implementation where you could have a sprinkler system that would be really cheap, you could just put them right in the top and just have a holding tank. I mean, maybe the owners would pay partially and the insurance people would pay partially. It's very easy to do a trailer. It's much more to do a house. In fact, this fire that I tried to help put out, started with the circuitry wiring, which could have happened in a house, you know, and it —, all of it didn't burn, only half of it. I mean, it's hard to say which is safer than the other, but the real issue here is these older people that have lived here for years, I —, I've lived —, I'm a native here, but I've lived in California, I've lived in Atlanta, I've lived in New York, and I see the change that's gone there, and I see how Savannah is increasing, and I like to see that, but I don't like to see these older people being smushed on and the dollar amount being number one. That's not right. It was hearsay it was for sale for \$2.5 million. Why couldn't there be something in that that's allocated for these people to move? I mean, he could come together and get a group policy where it's less than \$600 per trailer to move. The other issue is, I'm in —, I had a '74. Both of them have copper wiring. I was led to believe that I could move in Savannah and in the County since this is the County. There's a very nice trailer park. We're trying to fine nice trailer parks. I mean, the older ladies told me about it. We go to the same church, and —, but we can't move it there because mine's a '74 and it's just out to the County. So really what we're asking is to let them be able to move their trailers where they just don't have to leave it. They don't have any money. I mean, they don't know what they're going to do, and also we're asking that maybe Mr. Wells would see it in his heart to pay for the move.

Commissioner Price said, well, we can't, you know, make Mr. Wells do —, pay anything. Mr. Williams said, right, I know that. Commissioner Price said, the real issue why I felt it was necessary to bring this up today is because of the time frame in which you're being asked to move out of that park. Another point is this —. Chairman Hair asked, have they really been asked to move yet or is it just a rumor? Mr. Williams said, he has told only certain people, and that's older people that have been there for years, it's sold. Now I've called him and he won't return my call. Commissioner Price said, one of the residents has been told that they have to be out by October 1st. That's Ms. Tyler, Alice Tyler. Mr. Williams said, right. She's very close to me. Commissioner Price said, one of the points too is they could move these homes, these mobile homes, if it stayed within the city limits of Savannah. It's my understanding that they can go to another park within the city limits, but there are no lots available. Most of the mobile home parks within the city limits are full. The only real lots available in mobile home parks are in the unincorporated area, which brings us back to the problem with this ordinance. Greg Anderson gave us a memo today that you have in front of you, and the last paragraph it says, "The Board of Commissioners may have the authority to waive the provisions of the ordinance if legal justification can be identified." I don't know what legal justification we have to show and to identify before any type of waiver —, you know, waiving of the ordinance can occur, but I do think the idea that is there that was explained to me yesterday by Pat Monahan, make them Code compliant, meaning let's send somebody from Inspections out to the mobile homes, take a look at them, and see if they are Code compliant and at least those could go ahead and make those moves if we give them the authority to do that, but those who aren't Code complaint are still going to have the problem.

Chairman Hair said, if they're Code complaint they wouldn't need our approval. Commissioner Price said, not if they're not —. Chairman Hair said, if they're over '76. Commissioner Price said, if they're older than '76, even if they're Code compliant, we're going to have to approve it. That's the problem. Chairman Hair said, I think that before —, if the Commission wants to take any action today, I know Mr. Anderson and also Mr. Hart both have some serious concerns about what our options are, and we certainly need to hear from them before, you know, we need to entertain any motions. Gregori [Anderson], would you like to come forward and basically state your position on this and your concerns?

Mr. Gregori Anderson said, good morning. Commissioner Price did sum quite well. The current factory home ordinance [sic] in the County does prohibit mobile homes that are older than 1976 from being brought into the unincorporated area. This was adopted by the Board a few years ago to limit the County's liability, if you will, for these older homes, which do provide some hazard. They have aluminum wire in them that, in some cases, are a source for fires, some of them are substandard as far as the Code is concerned, and a number of other issues. The ordinance itself is very clear. There's really no remedy from the ordinance other than just waiving it completely. My concern, if it is waived for this particular situation, then it kind of opens the door up for others certainly that we've disapproved in the past as well as maybe provide an opportunity for others to come in and seek the same remedy.

Commissioner Price asked, what about the inspection of the mobile homes to see if they are Code compliant? Is there any provision in the ordinance that would allow us after an inspection is made to give authority for them to have a permit for them

to move? Mr. Anderson said, certainly the way the way that the ordinance currently reads, if you have a '76 or older mobile home in the unincorporated area, you have to have this inspection that you're referring to conducted and have the structure brought up to Code before you can even move it within the unincorporated area. So we have that mechanism in place. Commissioner Price asked, so could —, would this apply here? Mr. Anderson said, it would not apply to this, again, because of the way that the ordinance is written —. Commissioner Price said, why wouldn't it? Mr. Anderson said, these are structures for structures that are outside the unincorporated area, so they wouldn't —. Commissioner Price said, so if you're in the unincorporated area you could move it around if it's older than 1976, but just because it's within the city limits of Savannah —. Mr. Anderson said, but you're forgetting —. Commissioner Price said, we need to amend this ordinance then, and that's a problem.

Commissioner DeLoach said, I don't think. I question —, I've got a problem with that because the reason it was set up when it was originally done was to improve the situation that we had in the unincorporated area. We had people that were living in places that were not fit for people to live in, so they actually did this ordinance so that we in Chatham County would get some quality —, if a person moved a mobile home in here, they would have something that was worth something and they would have something they would be safe in. So that was the original intent of the ordinance originally. Now, if you go back and you change that ordinance —, I heard the concern about the gentleman selling the property. If Mr. Williams decided to sell that mobile home that he moved into the County after this, if we amend this motion, a person is buying something that is less than what we felt was comparable, that it should be in the unincorporated area. He's going to be able to sell that because he might not want to live there all his life. He might decide he wants to move somewhere else or whatever because he's moved in several different places. The point I'm making is, we've got an ordinance in place that has caused us to upgrade the quality of our living in the unincorporated area. Just like we have homes that are —, just like we have homes that are done away with or —, because you can't live them [sic] in downtown Savannah, this is the same issue we have here. We can't move what we feel like is substandard housing into the unincorporated —, I don't care how good it is, the point is you can't move it into the unincorporated area because you're just moving an area or a problem into the unincorporated area that we tried to fix back several years ago. I just don't see the issue —, I don't see opening up a can of worms whenever it's in fact been closed.

Commissioner Price asked, well, what do these elderly people do that have mobile homes older than '76? Commissioner DeLoach said, they do the same —. They do not own the property they are on. Commissioner Price said, I understand that. Commissioner DeLoach said, they knew that when they went there. He knew that when he bought that mobile home. Mr. Williams said, right. Commissioner DeLoach said, he knew that when he moved there. That is an issue for people who live in mobile homes. That's —, I mean, that's —, when you rent a space, you rent a space. This person has the right to sell that property if he wants to, but when it comes down to it, the issue is do we change our ordinance to allow people in. I don't think we do. I'm sorry for those people who live in mobile homes and who have actually got this. I mean, there's nothing I can do for them because if I do, I am causing in the reduction in the quality of life in the unincorporated area when we do this, and I just don't see us backing up for this. I see us moving forward.

Mr. Williams said, well, let me ask you this. Why would a car be different? Commissioner DeLoach said, I'm not —. Mr. Williams said, an antique car? Commissioner DeLoach said, I'm not going to answer questions. I'm stating the opinion I've got in the unincorporated area —. Mr. Williams said, right, I understand what you're saying, but I'd like for the other people to present something. Why is an older car, why don't you just abandon older cars just because they're old? Commissioner Odell said, because you don't live in older cars. Chairman Hair said, I think there's a big difference, Mr. Williams. I think that's a stretch. Mr. Williams said, but what I'm saying is my home and many others' homes are built better than the newer ones. Commissioner DeLoach said, we're not [inaudible] that. Mr. Williams said, just like the antiques. So why should someone be forced to not —, to just abandon them? You could have stricter regulations, you could go and say this needs to look this way, you know, this needs to be this way, there's ways around it, but you can't just say that this just needs to be abolished because it's old. I mean, I guess you can, I guess that's what —. Commissioner DeLoach said, all right. We do that with all —, we do that now. I mean, —. Mr. Williams asked, just because of what —, it's so old? What about historic Savannah? Commissioner DeLoach said, it's going down every day, sir. Mr. Williams said, right, but under certain reasons because there's inadequate wiring, lead paint, because it looks bad, but give someone a chance. Commissioner DeLoach said, and that's why we don't want to move it. I'm not —.

Chairman Hair said, I think that —, let me —, I'd like to make a comment. I really think —, I sympathize with the problem here, but I think this problem's in the wrong forum. I don't think this is a Chatham County Commission problem. I totally would be opposed to changing this ordinance. I think you're opening up a terrible Pandora's box here if you do this. I think these folks have a serious problem, but I don't think it's a problem that the Chatham County Commissioners can address. Chairman Hair recognized, Commissioner Price.

Commissioner Price said, it's a County Factory Built Housing Ordinance. It is our ordinance, it is our problem. I mean, no where else that this is a problem. The City of Savannah doesn't have this problem because it's going outside the city limits. It is our problem. Chairman Hair said, I think it —. Commissioner Price said, I know this is a predicament, I know that this is between a rock and a hard place. All I'm saying is I can't just turn my back on these folks are going to be thrown out of their homes. Where are they going to go? There's no place for them to move these homes. You've got earlier than 1976 mobile homes that are in the unincorporated area already that are within Code, that are fine where they are. They're quality built. Yes, there are reasons that we have this ordinance to keep those mobile homes that aren't quality built and the standard of living at a certain level, but I mean, this to mean is, you know, this is possible litigation that we're looking at here. I mean, I think we need to —. Chairman Hair said, if you'd like to make a motion, I'd be glad to entertain a motion. Commissioner Odell and then Commissioner Murray.

Commissioner Odell said, I don't sympathize with the County ordinance. I do sympathize with the citizens in your district. Commissioner Price said, it's David's [Saussy] district actually. Commissioner Odell said, yes, it's in David's [Saussy] district. My concern though is that an ordinance should not be designed to —, or changed based upon a unique exception. Chairman Hair said, right. Commissioner Odell said, I agree with Eddie's [DeLoach] logic and conclusion. I'm not prepared to vote to

void an amendment of the ordinance based upon what I've heard. It's a problem. It's a problem that we need to study, and we are concerned about citizens. That's why we're here, but I don't think today is the appropriate time with people coming up with high levels of emotion and expecting us to make a substantial change regarding a substantial ordinance. I'd like to see it reviewed and then come back in two weeks when we can look at it in a logical —, I don't want to spend all day sitting and talking about mobile homes.

Chairman Hair asked, would you expect this any —, would you accept that, Ben [Price]? Commissioner Price said, yes. Chairman Hair said, to have maybe staff come up and look at alternatives, maybe have the lawyer look at alternatives and Gregori [Anderson]. Commissioner Price said, I don't expect a quick answer. We just brought it up today. Chairman Hair said, well, we gave Mr. Williams the right to speak, so maybe we could bring it back in two weeks. Commissioner Price said, I do think it's important that if they're being given a deadline to get out of there by that we do whatever we can do, and I emphasize whatever we can do, you know, in an expeditious manner. Chairman Hair said, so why don't you put back on your section on July 24th. Would everybody —. Commissioner Price said, that's fine. I would ask staff for their help. Chairman Hair said, David [Saussy], do you agree with that? I mean, bring it back in two weeks? Commissioner Saussy said, I agree with that. I think if staff looks at it —, if these things can be brought up to Code with new wiring, that's basically it from my understanding. Then there's no reason why they can't move. Commissioner DeLoach said, that's not it. Chairman Hair said, it's —, I think it's a lot deeper than that. Commissioner Price said, it's extremely hard to rewire a mobile home. Almost impossible. Chairman Hair said, but let's do that then. Let's just bring it back in two weeks on the 24th and, in the meantime, Pat [Monahan], if you would have maybe staff and, Jon [Hart], maybe y'all get together and look, and, Gregori [Anderson], if y'all could maybe look at what our alternatives are and, you know, bring back some alternatives to us on the 24th and see what we can do to help these folks. Commissioner Price said, thank you. Chairman Hair said, short of —, you know, short of changing the ordinance.

=====

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 take anything off the Action Calendar? Commissioner Murray said, 15-A. Chairman Hair said, 15-A. Okay, anything else? The Chair will entertain a motion to approve the balance of the Action Calendar. Commissioner Price said, so moved. Commissioner DeLoach said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.] Chairman Hair said, the motion passes.

Commissioner Saussy moved to reconsider Item 15-Q. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

NOTE: See Item 15 for discussion and vote on Items 15-A and 15-Q.

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

=====

1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON JUNE 26, 1998, AS MAILED.

ACTION OF THE BOARD:

Commissioner Price moved to approve the minutes of the regular meeting on June 26, 1998, as mailed. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JUNE 18, 1998, THROUGH JUNE 26, 1998.

ACTION OF THE BOARD:

Commissioner Price moved that the Finance Director is authorized to pay claims for the period June 18, 1998, through June 26, 1998, in the amount of \$3,143,210. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

- 3. REQUEST FROM THE ATTORNEY FOR THE NEW DEVELOPER, WILCO VENTURES, INC., TO APPROVE A CHANGE IN DEVELOPER AND CHANGE IN THE FINANCIAL GUARANTEE FOR WALTHOUR GLEN SUBDIVISION (FORMERLY STRICKLAND HEIGHTS).
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve the request from the attorney for the new developer, Wilco Ventures, Inc., for a change in developer and change in the financial guarantee for Walthour Glen Subdivision (formerly Strickland Heights). Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

- 4. REQUEST FROM THOMAS & HUTTON ENGINEERING, AGENT FOR GATEWAY OF SAVANNAH, INC., TO ACCEPT THE RIGHT-OF-WAY DEDICATIONS, RECORD THE PLAT FOR HENDERSON GOLF COMMUNITY PHASE 2B AND INCLUDE THE STREETLIGHTS WITH THE PREVIOUSLY ESTABLISHED STREETLIGHT DISTRICT.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve the request from Thomas & Hutton Engineering, agent for Gateway of Savannah, Inc., to accept the right-of-way dedications, record the plat for Henderson Golf Community Phase 2B, and include the streetlights with the previously established streetlight district. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

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

ACTION OF THE BOARD:

Commissioner Price moved to approve the request from Thomas & Hutton Engineering, Agent for Gateway of Savannah, Inc., to accept the remaining paving and drainage improvements for County maintenance at Henderson Golf Community Phase 2. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

- 6. REQUEST FROM FREEMAN & VAUGHN ENGINEERING, AGENT FOR EAGLE DEVELOPMENT GROUP, TO RECORD THE FINAL PLAT FOR LAUREL OAKS SUBDIVISION PHASE 1 (FORMERLY KNOWN AS QUACCO TRAIL SUBDIVISION), TO ESTABLISH A STREETLIGHT ASSESSMENT DISTRICT, AND TO ESTABLISH AN OPEN SPACE ASSESSMENT DISTRICT.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve the request from Freeman & Vaughn Engineering, agent for Eagle Development Group, to record the final plat for Laurel Oaks Subdivision Phase 1 (formerly known as Quacco Trail Subdivision), to establish a streetlight assessment district, and to establish an open space assessment district. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

- 7. REQUEST BOARD APPROVE TWO RIGHT-OF-ENTRY AGREEMENTS WITH THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA RELATING TO THE CONSTRUCTION OF RELOCATED SCIENCE DRIVE AND TO AUTHORIZE THE NECESSARY SIGNATURES.**

[DISTRICT 6.]

ACTION OF THE BOARD:

Commissioner Price moved to approve two Right-of-Entry Agreements with the Board of Regents of the University System of Georgia relating to the construction of relocated Science Drive and to authorize the necessary signatures. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

- 8. REQUEST FROM PAUL E. ROBINSON, 228 CATALINA DRIVE, FOR THE COUNTY TO DECLARE A PORTION OF CATALINA DRIVE RIGHT-OF-WAY ADJACENT TO HIS PROPERTY AS SURPLUS AND QUITCLAIM THE PROPERTY.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve the request from Paul E. Robinson, 228 Catalina Drive, for the County to declare a portion of Catalina Drive right-of-way adjacent to his property as surplus and quitclaim the property. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

- 9. REQUEST BOARD APPROVAL OF AMENDMENT TO CONTRACT BETWEEN THE COUNTY AND THE GEORGIA DEPARTMENT OF JUVENILE JUSTICE, F/K/A DEPARTMENT OF CHILDREN AND YOUTH SERVICES.**

ACTION OF THE BOARD:

Commissioner Price moved to approve the amendment to contract between the County and the Georgia Department of Juvenile Justice, f/k/a Department of Children and Youth Services. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

- 10. REQUEST BOARD APPROVE QUITCLAIM DEED OF .08 ACRES OF LAND ADJOINING PROPERTY OWNED BY PATRICK J. ALL WHICH IS LOCATED ON CENTER STREET NEAR BETZ CREEK IN ORDER TO CLEAR THE TITLE ON THE PROPERTY.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve quitclaim deed of .08 acres of land adjoining property owned by Patrick J. All which is located on Center Street near Betz Creek in order to clear the title on the property. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

- 11. REQUEST FOR NEW BEER, WINE AND LIQUOR POURING AND SUNDAY SALES LICENSES FOR 1998. PETITIONER: STEPHEN A. GROVE, AGENT FOR RESTAURANT CONCEPTS, D/B/A APPLEBEE'S NEIGHBORHOOD GRILL & BAR, LOCATED AT 5460 AUGUSTA ROAD.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve the request of petitioner, Stephen A. Grove, agent for Restaurant Concepts, d/b/a Applebee's Neighborhood Grill & Bar, located at 5460 Augusta Road, for new beer, wine and liquor pouring and Sunday sales

licenses for 1998. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

12. REQUEST BOARD APPROVE RECOMMENDATION FROM TAX COMMISSIONER TO WRITE OFF UNCOLLECTIBLE REAL PROPERTY TAXES FOR THE PERIOD 1991 THROUGH 1997.

ACTION OF THE BOARD:

Commissioner Price moved to approve the recommendation from Tax Commissioner to write off uncollectible Real Property taxes for the period 1991 through 1997 in the total amount of \$717.17 as follows: 1991 - \$0.00, 1992 - \$0.00, 1993 - \$717.17, 1994 - \$0.00, 1995 - \$0.00, 1996 - \$0.00, and 1997 - \$0.00. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

13. REQUEST BOARD APPROVE RECOMMENDATION FROM TAX COMMISSIONER TO WRITE OFF UNCOLLECTIBLE PERSONAL PROPERTY TAXES FOR THE PERIOD 1991 THROUGH 1997.

ACTION OF THE BOARD:

Commissioner Price moved to approve the recommendation from Tax Commissioner to write off uncollectible Personal Property taxes for the period 1991 through 1997 in the total amount of \$150,690.73 as follows: 1991 - \$58,097.88, 1992 - \$21,180.66, 1993 - \$20,464.6, 1994 - \$22,623.92, 1995 - \$10,243.38, 1996 - \$15,669.40, and 1997 - \$2,410.63. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

14. REQUEST BOARD APPROVE RECOMMENDATION FROM TAX COMMISSIONER TO WRITE OFF UNCOLLECTIBLE REAL PROPERTY TAXES FROM THE 1997 TAX DIGEST WHICH ARE UNDER \$5.00.

ACTION OF THE BOARD:

Commissioner Price moved to approve the request from the Tax Commissioner to write off Real Property taxes from the 1997 tax digest which are under \$5.00 in the total amount of \$1,953.06 and consisting of 1,725 accounts. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

15. 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. Rental agreements for the use of Memorial Stadium during the 1998 football season	Parks and Recreation	<ul style="list-style-type: none"> •Board of Public Education •Benedictine Military School •Savannah State University •Savannah Panthers Football 	15 nights @ \$650/ea. = \$9,750 4 nights @ \$650/ea. = \$2,600 1 day @ \$550/ea. = \$550 2 nights @ \$650/ea. = \$1,300 TOTAL \$14,200	Revenue producing contract
B. Thirty-two (32) Smith and Wesson 40 caliber handguns	Detention Center	G.T. Distributors	\$14,088.96	General Fund/M & O - Detention Center
C. One (1) 4x4 sport utility vehicle	Police	Bobby Jones Ford	\$24,725	CIP - Vehicle Replacement

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
D. One (1) 2x4 pick-up truck	Engineering	Bobby Jones Ford	\$12,705	CIP - Vehicle Replacement
E. One (1) full size 15 passenger van	Sheriff	Bobby Jones Ford	\$23,084.68	CIP - Vehicle Replacement
F. One (1) 4x4 crew cab short bed pick-up truck	Public Works	Bobby Jones Ford	\$23,599.50	CIP - Vehicle Replacement
G. Two (2) 4x4 pick-up trucks	Public Works	Bobby Jones Ford	\$37,932.82	CIP - Vehicle Replacement
H. One (1) flat bed crew cab dump truck	Public Works	LJL Truck Center	\$59,474	CIP - Vehicle Replacement
I. Confirmation of emergency purchase of three (3) undercover vehicles	•CNT (2 vehicles) •District Attorney (1 vehicle)	•Fuller Oldsmobile •Critz, Inc.	•\$30,200 •\$12,340	CIP - Vehicle Replacement
J. Confirmation of Change Order No. 3 to the contract for preparation and design of road and drainage improvements for LaRoche Avenue, Woodridge Canal, Central Avenue and Hall Brothers Properties to include design modification as per GDOT revisions	SPLOST	Clemmons Engineers	\$600	SPLOST (1985-1993) - Central Avenue
K. Change Order No. 5 to the contract to provide design of sanitary sewer lines for the additional design services	Water and Sewer	Thomas & Hutton	\$6,500	Water and Sewer Enterprise Fund
L. Change Order No. 3 to the contract for the construction of sanitary sewer service for additional construction services	Water and Sewer	Thomas Griffin Construction	\$82,470	Water and Sewer Enterprise Fund
M. One (1) knuckle boom loader	Public Works	Municipal Equipment Sales	\$21,990	CIP - Vehicle Replacement
N. Contract for the construction of the Burroughs Community Park, Phase I	Engineering	Sand Hill ALS Construction (MBE)	\$121,031	1998 CIP - Burroughs Community Park (pending contingency transfer)
O. Agreement for the relocation of a transmission line on private easements for the Jimmy DeLoach Parkway Hwy 21 Interchange	SPLOST	Savannah Electric and Power	\$49,219	SPLOST (1993-1998) - Jimmy DeLoach Parkway/Hwy 21 Interchange
P. Agreement for services supporting construction of a bridge over CSX tracks for the Jimmy DeLoach Parkway/Highway 21 Interchange project	SPLOST	CSX Transportation, Inc.	\$95,630.80	SPLOST (1993-1998) - Jimmy DeLoach Parkway/Highway 21 Interchange Project
Q. One-year renewal of custodial contract to provide 48 hours per week of custodial services, including custodial supplies, to the Weightlifting Center	Parks and Recreation - Weightlifting Center	MC Consultants	\$17,550	General Fund/M & O - Parks and Recreation (Weightlifting Center)

Commissioner Price moved to approve Items 15-B through 15-Q. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

Chairman Hair said, 15-A, rental agreements for the use of Memorial Stadium during the 1998 football season from the Parks and Recreation Department. We have three —, actually four Board of Public Education for 15 nights, Benedictine Military School for four nights, Savannah State University for one day, and Savannah Panthers Football for two nights. Commissioner Murray.

Commissioner Murray asked, how much are we paying to lease this equipment? Mr. Jim Golden asked, sir? Commissioner Murray asked, how much are we paying to lease the equipment? Mr. Golden asked, to lease? Commissioner DeLoach said, lease the football [inaudible]. Mr. Golden said, this is a rental fee —. Chairman Hair said, this is for the stadium. Mr. George Lynch said, we're renting —. Commissioner Murray said, I misread it. Never mind. I move we approve it. Commissioner Price said, second. Chairman Hair said, motion to approve. All right, all those in favor vote yes, opposed vote no. We're getting money here. Commissioner Saussy said, I didn't realize this, I'd like to pull Q too. Chairman Hair said, well let's vote on this one first, David [Saussy], because we're going to have get it back off the Action Calendar. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.] Chairman Hair said, the motion passes.

Chairman Hair said, now we've already approved it, so if you want to make a motion to —, since you were on the prevailing side, you can make a motion to reconsider. Which item is it? Commissioner Saussy said, I would like to —. Chairman Hair asked, which item? Commissioner Saussy said, Item Q. Chairman Hair asked, under 15? Commissioner Price said, where is Q? Chairman Hair said, 15-Q. Mr. Lynch said, last item, sir. It's custodian —. Chairman Hair said, okay, we have a motion to reconsider. Do I have a second? Commissioner Price said, all we've got is P, I don't have a Q. Chairman Hair said, we have a Q. Do we have a second to reconsider? Commissioner Odell said, I'll second. Chairman Hair said, all right, all those in favor of reconsideration vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.] Chairman Hair said, motion to reconsider —. Commissioner Saussy, but let me read it. One-year renewal of custodial contract to provide 48 hours per week custodial services, including custodial supplies, to the Weightlifting Center.

Commissioner Saussy said, the question I've got about this, this is doubling what it was. Now I understand that the Weightlifting Center is being used a lot more, but I don't think it's being used any more the next year than it was in the last year, and I think this is a —, what, a two-year contract? Mr. Lynch said, yes, sir. We're doing a renewal on this one. At the time that we did the contract we had attendance at that time running about 7,000 to 10,000 visits a month. The month of June we hit 27,000 visits. The problem is the concept that we had used initially, which was fundamentally you clean the place up real good at night and then you do what you can during the day doesn't work when you have that many people going in. The first thing that suffers, quite candidly, is your locker rooms, your showers, your basins, your toilets, things like that. You also have, unfortunately, weightlifters, I guess, as well as anybody else, tend to, frankly, have trash, bags, stuff like that. The place looks like the dickens by about 3:00 or 3:30. This is simply recognizing it and saying let's go ahead and cover it.

Chairman Hair said, I have a question, George [Lynch]. Mr. Lynch said, yes, sir. Chairman Hair asked, was this bid this time? Was it bid? Mr. Lynch said, no, sir. We have an option year and we're saying go ahead, take the option year and increase the —. Chairman Hair said, but normally in option years you don't double the price. I mean, normally you would —, you know, it seems to me that in that case you might want to rebid it. You have the option to do that. Is that correct? Mr. Lynch said, you sure can. It's ours. Now let me point out one factor that we found. We initially had this done by the firm that does our southside custodial service. Two things. The first thing was, here's a firm that does a great job on the places it does for us and they weren't doing well at all out there. It turned out that the problem was their normal garden variety custodians didn't have the muscle to lift the weights and rack them so they could get in and clean under them. Second point, we found that we're able to get this at a lower rate using MC, that's Michael Cohen, Consultants, not Team Savannah, than we were with our standard County contract where we initially put it. So —. Chairman Hair asked, but aren't you making an assumption that you would —, if you rebid it, that you wouldn't get other people that maybe could do that? Isn't that an assumption you're making? Mr. Lynch said, sure.

Commissioner Saussy said, I think the other thing is, too, frankly, that we've got the weightlifters there, and I think really the whole program is a wonderful program and all, but I just really —, as far as racking the things, they could be racked by the weightlifters that are there before they clean. Mr. Lynch said, that would work during the day. It would not work very well on the night clean-up. That's —, that I would agree with you

Chairman Hair asked, Commissioner Saussy, do you want to make a motion to deny and have the staff rebid it? We could do that. Commissioner Saussy said, well, I —, yes, with the proviso that —, I mean, Team Savannah and the Cohens have done a wonderful job, but my big —, one of my main objections is, frankly, that Michael [Cohen] is making quite a lot of money off of all these things that are going on that the County basically is providing the place. I don't think that's right. I really don't think that's right. I mean, that's like somebody in the County working for the County and then goes out and puts in his own company and sells products to them. That's wrong, and I think this is the same thing. I hate to be frank, but that's the way I feel. Chairman Hair asked, well, would you like to make a motion to deny it? Commissioner Saussy said, yes, I would. Chairman Hair said, and rebid it? Commissioner Saussy said, yes. Chairman Hair said, okay. Do I have a second?

Commissioner Price said, I'll second it, but with a little further discussion. I'm sorry I had to walk out. If —, I mean, we have the right to rebid it, Jon [Hart]? Mr. Lynch said, sure. Chairman Hair said, oh, yes. Mr. Lynch said, sure. It's our option as to whether we renew. Chairman Hair said, it hasn't been bid. Commissioner Murray said, it wasn't bid. Chairman Hair said, it wasn't bid. It was just a renewal at twice the price without rebidding. Commissioner Price said, I definitely want —. Mr. Lynch said, because of a about a doubling in scope. Chairman Hair said, I understand that, but it still —. Commissioner Price said, that gives my —. Chairman Hair said, that doesn't change the facts though. Commissioner Price said, that gives Michael [Cohen] the option to come back in and rebid. Mr. Lynch said, oh, sure. Chairman Hair said, of course, he can. Mr. Lynch said, sure.

Commissioner Odell said, just very quickly. I think that we should bid it. Chairman Hair said, I do, too. Commissioner Odell said, David's [Saussy] point about impropriety, which I think that we have an obligation to avoid even the appearance of it, and this appears to be self-dealing without —. Mr. Lynch said, I'm sorry, sir. Commissioner Odell said, it appears to be self-dealing. The person who's running it is getting a contract basically. Isn't that it? Mr. Lynch said, the contract, sir, for the operation isn't with Michael Cohen, it's with Team Savannah. The fact that he is the leading totem of Team Savannah, I'd be the last to deny. I would certainly hope we would allow him to compete in the thing. Chairman Hair said, we couldn't keep

him from competing, I mean, if he wants to bid. Mr. Lynch said, I agree with you, sir. Commissioner Odell said, I'm not making any accusations. Mr. Lynch said, yes, sir. Commissioner Odell said, my complaint is simply that I concur with what Mr. Saussy said, and what he said is that we have to avoid the appearance of an impropriety, and by our going from a no bid, doubling the contract, to me just doesn't sit well and I think this is a better —. Mr. Lynch said, fine, sir. We can —, we compete it. It's completely at the option —.

Chairman Hair said, we already have a motion and a second on the floor —. Mr. Lynch said, sure. Chairman Hair said, to reject this and to rebid it. Mr. Lynch said, yes. Chairman Hair asked, Mr. Golden, do you want to make any quick comment? Mr. Jim Golden said, I just want to add, Commissioners, this does not include the outside landscaping. This is done by our maintenance crew. Chairman Hair said, right, we're talking about just the inside. Mr. Lynch said, yes, sir. Chairman Hair said, okay, we have a —, Commissioner Murray, did you want to make a —?

Commissioner Murray said, yes, the only comment, I agree with what we're getting ready to do because I think it needs to be bid, but at the same time I think we need to keep in mind, too, when we start talking about us furnishing everything that we don't furnish the equipment in that facility. Mr. Lynch said, that's correct, sir. Commissioner Murray said, we furnish the facility and they furnish all the weights and all the equipment that goes in there, but I think this is a separate thing and I think we should bid it out.

Commissioner DeLoach said, I think we need to clean up —, you know. David [Saussy] feels the way he does, I understand that, but I do —, I don't want to leave with us doing this with anybody feeling like there's an impropriety here because of Michael Cohen. I'm concerned —. Chairman Hair said, no, there's no prejudice here. Commissioner DeLoach said, I'm concerned about that and I wanted to make sure we understand that in no way that this is anywhere near that. Commissioner Saussy said, absolutely. Commissioner DeLoach said, this will make sure that it's clean as far as this is concerned. I think the program and his participation and Team Savannah and everything else has been —, it's just —, it's been unlimited amount of public relations we've got out of this and what it's done for the community —. Commissioner Saussy said, right. Commissioner DeLoach said, and so I don't —, I just want to —, I don't want to get rough on the edges here. Chairman Hair said, okay. Commissioner DeLoach said, I want to make sure we keep it smooth.

Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.] Chairman Hair said, the motion passes.

Commissioner Murray said, I know we've already voted on it, but I —, Jim [Golden], I just would like to ask you a question on the one that I tabled [sic] because I misread it, but I did see one thing that I just wanted to ask. Why is it that all the public schools are paying \$650 each time they use it and Savannah State's only paying \$550. Chairman Hair said, time of day probably. Mr. Golden said, what did you say, sir? Mr. Lynch said, why are the schools paying —. Mr. Golden said, this is just because it's a day rate, yes sir.

ACTION OF THE BOARD:

1. Commissioner Price moved to approve Items 15-B through 15-Q. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]
2. Commissioner Murray moved to approve Item 15-A. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]
3. Commissioner Saussy moved to reconsider Item 15-Q. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]
4. Commissioner Saussy moved to deny 15-Q and rebid the custodial contract to provide 48 hours per week of custodial services, including custodial supplies, to the Weightlifting Center. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

XI. FIRST READINGS

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

None.

=====

XII. SECOND READINGS

- 1. MPC WAS REQUESTED TO AMEND SECTION 7, SIGNS, OF THE CHATHAM COUNTY ZONING REGULATIONS TO ALLOW BANNERS WHICH PROVIDE A SALES MESSAGE IN ADDITION TO THE EXISTING SIGNS ALLOWED. THE MPC RECOMMENDED THAT THE COUNTY SIGN REGULATIONS NOT BE AMENDED AND THAT THE SUGGESTED TEXT SUBMITTED BE DENIED.**

MPC FILE NO. 98-12071-C

NO DISTRICT/TEXT AMENDMENT/UNINCORPORATED AREA

Chairman Hair said, since I'm probably responsible for this one, I'd like to explain why I think we should approve this. There's a situation that was brought to my attention probably about three months ago now, three to four months. It's taken this long for us to get it through the normal MPC process which we follow. This was brought to my attention by Mr. Dan Vaden, who had a situation out on Highway 17 where he was served with a —, whatever order —. Mr. Bill Saxman said, citation. Chairman Hair asked, what? Mr. Saxman said, it's a citation. Chairman Hair said, a citation. He was served with a citation because he had banners out on his light poles out there on Highway 17, and these banners —, I don't know how big, I went out there and looked, they're not real big banners. They're, you know, probably 30 inches by 12 or 14 inches. They're not huge banner, but —, and he was told by the Inspector for Chatham County that there's nothing wrong with the banners, but the problem, the reason he was given the citation was because the banners had the word Chevrolet on them. If he were to take Chevrolet off, he could keep the banners, and the ordinance that we have does not prohibit banners, it just says that you can't have any writing on the banners, and I personally think that's kind of ridiculous, and I have since talked to several other people who have banners that have writing on them. This does not in any way change the size of banners, the location of banners, that stays intact. The only thing this does says that if you have a banner within the ordinance, you can have writing on it. It can say Chevrolet on it, and Mr. Vaden pointed out to me that that, you know, he just felt like this was —, and when I began to check into it, I found out there were other people in the same situation, and all this does is it allows the banners under the existing ordinance, but it allows somebody to have the word —, writing on the banners. That's all it does. Mr. Saxman, I'll allow you to speak.

Mr. Saxman said, the Planning Commission felt that, you know, even though that's a technicality, if you do have wording and verbiage on it, it is an advertisement, and we do have a situation —, we had a sign issue came up in front of MPC this meeting, last meeting where the guy had seven different banners attached to the front of his building, which outdid the size of his principal use sign by four times, but the banners aren't illegal in the sense that they're, you know, they're temporary as long as they're only up there for a particular time period, but when you start allowing people to put the banners, banners are so easy to reproduce nowadays and cost is a lot more in line, you end up having the whole front of your building or your whole facade, especially fast foods and car dealers, those are the two that usually take use of those things a lot faster, ending up their whole frontage is restricted and allow for signs. There have been efforts for Mr. Vaden, for example, the principal use signs that are limited in size on a lot up to 125 square feet, but since car dealers have usually a lot of frontage, our ordinance was amended back 10 years ago to allow car dealers if they have over a certain frontage to exceed that.

Chairman Hair said, Commissioner Price and then Commissioner Murray.

Commissioner Price said, when we give them a permit for the banners, it's like a 90-day —. Mr. Saxman said, well, right —. Commissioner Price said, it's a temporary —. Mr. Saxman said, right now I don't think any permit's issued. They're allowed to have them up 30 days or 60 days and then, you know —. Commissioner Price said, once a year. Mr. Saxman said, and there's no way of really enforcing it. Commissioner Price said, right. Mr. Saxman said, Inspections has a real problem with that because there's really no way of enforcing it. Commissioner Price said, there is a way to give them the right to have banners for a period of time? Mr. Gregori Anderson said, yes, we do provide a permit for a temporary banner, and it is, as indicated in the current language of the ordinance, a specific time frame for a calendar year. Commissioner Price said, once —. Mr. Anderson said, well, they have a —, they have that time frame and if they want to have the banners in short increments, we add that time frame up during the course of the year because, as Mr. Saxman indicated, a lot of these fast food places have promotions that happen certain times of the year so they want to have the opportunity to put these banners up certain times of the year for these promotions, so what we allow them to do under this temporary permit process is to get a permit for the banner for two weeks or three weeks or whatever it is, and they can get these temporary permits during the course of the year until it adds up to the 30 days or 60 days, whatever the maximum is. So we are regulating those —.

Chairman Hair said, but, Gregori [Anderson], you're talking about the banners with writing. Mr. Anderson said, with writing, that's correct. Chairman Hair said, the current ordinance though, that's what we're trying to amend today is if they don't have writing on them they don't to —, they don't come under the temporary. Mr. Anderson said, that's correct. I was just addressing his —. Chairman Hair said, and the banners could be permanent as they stand now as long as they don't have writing on them, but you put writing on them and make them temporary.

Commissioner Price said, my point is this. What do —, they pay a fee for that, right? Mr. Anderson said, yes. Commissioner Price said, I mean, that's revenue for the County whatever, you know, whatever that fee is. Mr. Anderson said, right. Commissioner Price asked, why, why would it not be more advantageous for us for those who have a higher need and for use of these banners more frequently, maybe even during most of the year, for us to charge them a high fee to do that for the additional period of time? Why do we have the 30 to 60-day limit —, time limit on it? And I'm not getting [unintelligible comment because several individuals were speaking at one time].

Chairman Hair said, Commissioner Murray and then Commissioner DeLoach.

Commissioner Murray said, just a few things. What we're getting ready to do, if it's done, is reverse everything we've done in the past. We fought for a long time hard to keep these banners from just popping up everywhere. They've been down on Highway 80 on Wilmington Island and going through those places and taking the banners down and making them remove them, and, first of all, if there's a banner up and you don't have anything written on it, why are you going to put it up anyway? I mean, I don't understand that side of it. If that's a technicality we need to straighten out in the ordinance we have, then I think we need to do that, but I don't think we need to change this ordinance. I think it serves its purpose now, and it's taken us a long time to put it in place and it needs to stay in place. Mr. Saxman said, but the reason the wording is not on there, the banners —, a lot of them have flags, a checkered flag or red flag, you know, it's just decoration or a way of grabbing attention, but yet at the same time you start allowing them to put verbiage on there, then that really is back into advertising and trying to draw attention to a certain product or actually supplement their principal use signs, which is —.

Chairman Hair said, under the current ordinance though, Bill [Saxman], under the current ordinance they can keep these banners up forever. Mr. Saxman said, they aren't supposed to. The flags and all right —. Chairman Hair said, yes. Anything that doesn't have writing on them they can keep up. Mr. Saxman said, now the City —. Chairman Hair said, so this doesn't change that. The only thing it does is it allows you to have writing on them. Mr. Saxman said, well, currently the City of Savannah is in the process, in fact, they've drafted an ordinance, had MPC draft one, and they're studying it now, they're going to actually out-rule banners and flags because they've had a lot of complaints. The citizens of Savannah have been contacting the Mayor and Council and the Mayor and Council have directed the City Manager to draft an ordinance to really do away with banners except for special occasions and let them be —. Commissioner Price said, Lord help us if we start following the City of Savannah. Chairman Hair said, I think that's a separate issue, Bill [Saxman]. Mr. Saxman asked, pardon? Chairman Hair said, I think the issue before us is to whether or not we're going to allow writing on the banners that are currently allowed under the ordinance. The Chair will entertain a motion. Go ahead, Commissioner DeLoach.

Commissioner DeLoach said, the question I've got, it sounds like we've got two different ordinances going here, and what I'm getting out of this, you've got one ordinance that the Chairman's working on that says he wants to put writing on any, you know —. Chairman Hair said, yes. Commissioner DeLoach said, the ones that are put up —. Chairman Hair said, exactly. Commissioner DeLoach said, with writing. Can we work it where, okay, they can do that, they can put Chevrolet on the copy of it or Ford or whichever one they're going to do, but they can only have it up for a certain period of time. Mr. Saxman said, they can do that now. Chairman Hair said, they can do that now, they can do that now. Commissioner Murray said, they can do that right now if they get a permit. Mr. Saxman said, 60-day max —. Chairman Hair said, they can do that now, Commissioner DeLoach, but the banners, the banners that you see on Victory Drive, there's a place down on Victory Drive almost to Skidaway that had banners up there for a hundred years —. Commissioner Murray said, that's in the city limits though. Chairman Hair said, those banners were fine, but if he goes back there and puts two letters on those banners, then they automatically have to come down. Mr. Saxman said, it's advertising.

Commissioner Murray said, that's not our ordinance though. Ours is only in the unincorporated area. Chairman Hair said, well, it would be —. Commissioner Murray said, that's in the city's. Chairman Hair said, the flag would be the same if it was in the unincorporated area, but the only thing is once you put a word on it, it makes it —. Commissioner Murray asked, what is wrong with being able to control it like we're doing right now where they have to get a permit to put those banners up? I don't see anything wrong with that. It limits the amount of time they can do it.

Commissioner DeLoach said, that's where I am with it, Frank [Murray]. The —, I mean, Dan Vaden more than likely has got checkered flags up all over the place there along 17 to make sure everybody sees it, and he can leave those there forever. I really have a problem with that. I have a problem with the thing being up all the time. I want —, I mean, if you're going to have an ordinance, you've got two different ordinances running there. One, if you write on it, you can only keep it up 30 days and you can have the same size flag that doesn't say Chevrolet and it can stay up forever. Chairman Hair said, forever. Mr. Saxman said, well, the --. Chairman Hair said, that's correct, that's correct. Commissioner DeLoach asked, well, how do you get it to where —, I mean, I'm with the group in the City of Savannah and everywhere else where you've got, you've got too much, I mean, they'll hang a sign outside of a, you know, a pizza place and they'll advertise for two to three months that we've got a special on this weekend. Well, you know, this weekend might have went by about six months ago, but it's still this weekend, and that looks like, that looks like crud. I mean, that's terrible. I mean, it just looks awful, and that's what the ordinance was originally intended to do to get rid of all this graffiti that you can get one printed up for \$50 and you've got it out there and it's just cluttering up the basic view of the community. So I would like to have it where it's controlled, just like you say, like Greg [Anderson] is talking about, they can put them up with Chevrolet on them, but they only have them for a certain period of time and that's got to come down. Mr. Saxman said, well, I'm in the process of trying to work with the car dealers and the fast food places that's working with the City, and maybe we'll bring the County into it also, and try to have those involved in doing a study, but if we open it up for banners with wording on it, we're going to —, it'll just be cluttered the whole City and County is just going to be, from one end of a property to the other is just going to have flags and banners and advertisement up there whereas now they don't have an incentive to put a lot of banners because it doesn't have any advertising, it could cost them money and they don't feel like they're getting anything out of it.

Commissioner Price said, my point is let them —, I'm sorry. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, the study that you're doing for the City of Savannah, what's the anticipated —. Mr. Saxman said, well, the draft's been written and sent to the City Manager and he's basically reviewing it now and he's indicated at the last MPC meeting that it was basically time to get back active. It's been sitting on the —, his table for about a few months now. Commissioner Odell said, if you were to incorporate the unincorporated area into that —. Mr. Saxman said, we could try to —, draft it up and let y'all see what they've drafted and then, of course, we are recommending on the staff level, and I don't know whether or not Mr. Brown's agreed to that, work with the car dealers. I've talked with Mr. Vaden's group and talked to a couple of others and I've talked to some fast food places and some service station, convenience stores, and they want to sort of have input into it, but I think they agree, in fact, a lot of car dealers have told me they wouldn't have them up if the competition didn't have them up. The only reason they have them is because the competition has them, so if we could get it where everybody is equal —, pardon? Commissioner Odell said, they kind on one another. Mr. Saxman said, right.

Commissioner DeLoach said, just like the largest sign on the street. You go down the street, a fellow puts up one sign, it's about this big, that guy next to him puts one that's bigger, and after a while you have to —. Mr. Saxman said, but you can ride down Abercorn now and just look at some of the banners that are on the buildings, and the City hasn't enforced it because they have a limited staff, just like the County does, and they can't get out unless it's on a complaint basis, but they are, the Mayor and Council basically told the City Manager that they want to straighten up, and this is going the opposite direction that the City's trying to go.

Chairman Hair said, well, I think it's important that we don't take something and get real emotional that, you know, if you amend something that you're going to all of a sudden create total chaos in Chatham County, and you're going to have banners down every street. I think that's a little emotional. I think that if you really think of this objectively, all this says is that if you have a banner currently under the ordinance, and I'm telling you the banners that originally —, I went out there and looked at these banners, and I encourage you to do this, right out there on Highway 17, this weekend and look at these things. They're about 30 inches by —, I mean, we're —, at the top of the —, on top of the light poles. I mean, these are not banners that's going to destroy the neighborhood, and I think that to have an ordinance that says he can have these banners forever, he can keep them up there for 50 years, but as soon as he puts a word on it, the County's going to issue him a citation he's got to take them down, and the banner's the same size, it's been there forever. You know, the neighbors are used to looking at that sign for the last five years, but just because he puts a word on it now, that sign has to come down. I just think that's kind of ridiculous.

Commissioner DeLoach said, I'll argue that point, but my point —. Chairman Hair said, well, that's all this does. Commissioner DeLoach said, yes, but —. Chairman Hair said, well, that's all this does. Commissioner DeLoach said, yes, but I would —, you know, if I did this, I would amend it to say that they only have a certain period of time they can have them up. Chairman Hair said, they've got that now. Commissioner DeLoach said, 30 days —, no, they don't. Not what you're doing, you're allowing them, you're allowing them to put them up on those signs that are there right now —. Chairman Hair said, correct. Commissioner DeLoach said, and that are staying up there forever and they can write Chevrolet on them and keep them there forever. That's what you're saying. Now is that what I understand you to say? Chairman Hair said, that's absolutely right. That's exactly what I'm saying. Commissioner DeLoach said, yes, well, I'm totally opposed to that. Chairman Hair said, okay. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I would like to move that we send this back to the MPC and have —, until we can look at what you're working up with the City. If anything, I think we need to strengthen our ordinance and not water it down, and that's what we're getting ready to do if we approve what's out there right now. So I move we send it back to the MPC. Chairman Hair said, we have a motion to send it back. Do I have a second? Commissioner DeLoach said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved to send back to the MPC the proposed amendment to Section 7, Signs, of the Chatham County Zoning Regulations to allow banners which provide a sales message in addition to the existing signs allowed. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

- 2. PETITIONER, ROBERT W. ANDERSON, III, OWNER, IS REQUESTING THAT A 2-ACRE PARCEL BE REZONED FROM P-B-C (PLANNED COMMUNITY-BUSINESS) TO AN A-T (AGRICULTURAL-TOURIST) CLASSIFICATION TO ALLOW A MANUFACTURED HOME SALES LOT. THE MPC RECOMMENDED THAT THE REZONING BE APPROVED.
MPC FILE NO. 98-12197-C
[DISTRICT 6.]**

Mr. Bill Saxman said, the petitioner is requesting to put a mobile homes sales lot on the property which is zoned P-B-C, which is a Planned Community-Business district. The ordinance does not allow those types of uses in the Community-Business district. It's more of a retail, small retail office type of district. The Planning Commission did recommend the rezoning of petitioner's property to a P-T, uh, A-T, a Planned Agricultural-Tourist district, or just actually —, I'm sorry, just a regular Agricultural-Tourist district. It's on arterials that would automatically become a planned district, and to allow that particular property to be rezoned to allow a mobile homes sales lot.

Chairman Hair asked, any questions about this? Commissioner DeLoach said, I've got one. Chairman Hair said, okay, Commissioner DeLoach.

Commissioner DeLoach asked, is this across from the new school? Mr. Saxman said, no sir, it's on down right at the intersection of Chevis Road. It's right across from —. Commissioner DeLoach said, I've got Chevis Road. How far —, what is the distance —? Commissioner Price asked, do you know where the Junk House Antiques Store is? Right across the street from that and the convenience store. Around that corner. Commissioner DeLoach asked, how far is that from the school? Commissioner Price said, I would say it's probably a quarter of a mile or less. Mr. Saxman said, yes, a quarter to a half, or somewhere in that range.

Chairman Hair said, any further questions? The Chair will entertain a motion.

Commissioner Price said, well, I've got some —, yes, I've got some more questions. The school is over here and [inaudible]. Chairman Hair recognized Commissioner Price. Commissioner Price said, that's what I'm trying to figure out right now, Eddie [DeLoach]. The point I'm asking is, the people that live on Chevis Road, back immediately behind that area, the residents that live in that area, we had a rezoning sign posted —. Mr. Saxman said, yes, sir. The adjacent property owner was at MPC meeting and had some concerns. They have met with Mr. Anderson. Mr. Anderson has agreed to work the buffers and leave a stand of trees behind their property, and speak to Mr. Davis, who is Mr. Anderson's agent, has indicated that the adjacent property owners are now —, have no real problems with this issue as long as those buffers are maintained. It would require a site plan approval with buffers and landscape and those kind of issues being addressed. Commissioner Price asked, what's there now? Mr. Saxman said, a used car lot and there's an old abandoned service station, I think, at one time was on that location. Downer [Davis], what's the current use on that site?

Commissioner Murray said, would you please state your name for the record. Mr. Davis said, my name is Downer Davis of David Engineering. I'm the agent for the owner and we're working for the developer. Previously a used car was permitted for that facility. I spoke to the property owners after the MPC meeting that attended the meeting where it was presented, and both the owner and the developer of this sales lot have told me they don't want to take down any trees. They want to use the existing cleared property. The Clerk asked, could you step closer to the mike please? Mr. Davis said, yes, ma'am. And that alleviated the concerns of the neighbors. They were concerned that we were going to come in and clear out a lot of trees and have a lot of exposure to them, but in fact they don't want to take down any existing trees. They want to utilize the existing graded area and we'll have to add some tree points for the landscaping to meet the County's requirements.

Commissioner Price asked, how close to Highway 17 will the actual mobile homes be? Mr. Davis said, I believe there's a 50-foot setback on that. Mr. Saxman said, it's 87½ feet, I think, from the center line of U. S. 17, or no closer than 20 feet from the right-of-way, whichever is the most restrictive. Commissioner Price said, that's a very difficult area to get out of. 17 has gotten busier and busier and certainly it's going to be widened at one point. When the widening occurs through there, Bill [Saxman], what kind of setback will we have then? Mr. Saxman said, it will be the same setback, but of course we would work with Al Black if they have design that's already on board, we would make sure those designs of the right-of-way widening are incorporated in their site plan. If they aren't designed and planned out now, all we can do is make them set back whatever the current ordinance requires, but if they do have already proposed widening and all that's already been spelled out and worked out, then their setbacks would be behind those lines to make sure we don't have a conflict. Commissioner Price said, right. I'm obviously concerned about the visibility and the people being able to look and see and get out. What are the plans for a traffic light at that intersection? Mr. Saxman said, I'm not aware of any traffic light proposed at that intersection? Commissioner Price said, I mean, is there any —, there's a caution light there. Mr. Saxman said, right, there's a caution light. Now I don't know if the warrants are going to come up high enough to require a traffic light. Since that's a State highway, they've got to have a certain number of warrants that would be in place before they could actually put a traffic light there. Now as far as access in and out, the County Traffic Engineer and the City, uh, the State Highway DOT would be involved in actual permitting this site as a site plan review process.

Mr. Davis said, if I could add something. I contacted Gary Moody at the Georgia DOT and presented this project. We had a preliminary layout which I showed to the Traffic —, the Curbcut Committee of the MPC, and basically there's a median proposed at the upcoming improvements for 17. There would be a median cut so it would be right -in, right only —, right-out only to this site, but we sent it to the DOT. We know what we have to do as far as a driveway to be improved for this site. The owner's willing to do that. One thing I would mention is that I don't believe that a manufactured sales facility would generate the traffic count that most other uses under the current zoning for an A-T would allow. Certainly not more than a used car lot.

Commissioner Price said, I'll give you that. I do think that once that school is finished, I think this is some of Eddie's [DeLoach] concern, there's going to be a lot of kids, junior high age kids, going back and forth, and the concern I have is for their ability to get across, you know, a major highway, which is going to become even more major when they widen it. That has really not a whole lot to do with what you're trying to get done here, part of your —, who you're working for, but —, I don't have any other questions. I don't have a problem with this. I do think that we need to take a look, Bill [Saxman], and whatever Engineering needs to do, the County Engineering staff, for getting a traffic light at that location because sooner or later you're going to have the pedestrian traffic at that area and what you're going to do is slow that traffic down and keep these kids from getting killed.

Mr. Saxman said, well, if you can see on the map, the school's on down —. Commissioner Price said, I see that. Mr. Saxman said, to the south of this property. They are negotiating with the State trying to get a median cut and the possibility of a light at their intersection, which they're having problems to do because they can't meet the warrants even with the school buses going in there, but they're trying to get another median cut in front of that school site and keeping some of these U-turns down, but the last I heard they hadn't worked that out yet, but they are working with the DOT.

Chairman Hair said, the Chair will entertain a motion. Commissioner Price said, Eddie [DeLoach] has some more questions. Chairman Hair said, motion —, oh, you've got a question?

Commissioner DeLoach said, yes. What's the name of the mobile home group coming in there? Have they been here a while? Mr. Davis said, no, they're moving in from South Carolina. The name of the —, the owner of the company is Robert —, William Hudson [phonetic]. He goes by the nickname of Bobo. His name is William Hudson. He has recently opened one in Hinesville and he's going to be opening this one. He's basically relocating to Georgia. Commissioner Price said, I thought it was Anderson. Chairman Hair said, he's the property owner. Mr. Davis said, he's the property owner, he'll be leasing —. Chairman Hair said, he owns the location. He's renting the property. Mr. Davis said, he'll be leasing to Mr. Hudson. Commissioner DeLoach said, my biggest deal with this thing is this —, I'm trying to get the —, that whole area is changing. That whole area along Ogeechee, 17 and the entire area, we're trying to upgrade the quality and everything there, and I'm not questioning what we're doing here, but we have —, mobile homes sales places kind of come and go, you know. No offense to yours. He might be awesome and he might be great, but they have a tendency to come in with a great bunch

of flash and then peter out. I've got a real concern that I'm going to develop an area right here with a mobile home facility that is not compatible to the road right beside it where all these folks live right down in here on Chevis Road, Yemassee, and all in that area, which Ben [Price] is concerned about too, that's what he's talking about, that I don't know that that is what we need at the front entrance of a large group of people or large neighborhood in our area. I'm not questioning whether it's good or bad or anything. It's just, is that compatible, and I know we've got all kind of stuff out there on that road, and I understand that. You can think of anything up there and we've got it up there on that road, but our thought is, or I would think Ben's [Price] direction, and I think it's mine too, is we're slowly, and as we put the school there and as we develop this area, we're trying to upgrade this area with the facilities that we have, and I'm not —, and, you know, yours might be just wonderful, but I don't know that it is what needs to be in front of a neighborhood. You know, I don't know that I need a trailer park, a trailer sales park in front of a neighborhood, and if it were down the road over here somewhere or, you know, out of the congested area of the neighborhood, as far as coming in and out and people living there, that doesn't go with mobile homes sales right there, and I —, and that's my concern about it. I don't know if y'all feel that way. It's just my worry about it that it's kind of reversing the trend that we're developing when we put a school out there and we're trying to, you know, make more neighborhoods in that area, are we actually taking away from the neighborhood and putting a —, and it's not it's mobile homes sales, it's the fact that is that compatible with neighborhoods. I don't think so.

Mr. Davis said, if I may add one thing. The owner had some questions on whether he wanted to rezone his property. He checked out the lessee, the tenant, quite well because, you're right, any business can come and go, so he's taking a B-C district, a higher use district, which is presentably less compatible with residential than A-T, and he's rezoning from B-C to A-T. He may have some difficulty going back to B-C in the future so he had some real questions and reservations, and he checked the —, Mr. Hudson out and was comfortable enough with him to decide to go with it. The other thing I would mention is his previous use and he may put that to it, is a used car lot. Commissioner DeLoach said, right. Now listen, understand me. I'm not saying that we don't have problems with what we've got out there. That's the reason I made the comment we've got everything you can think of. I can say that I am trying to —, and I know Ben [Price] has been moving in that direction too, to upgrade the quality and the appearance and everything along Highway 17. We want to make that —, we want to improve not only the —, we want to improve the way it looks there, not only the businesses that are there, but also the reputation it has and everything else. We want a quality line of road down there, and I don't know —, we've got about four or five mobile homes sales offices, two of them I know of that have just come before us and are opening up, I mean, so we've got two more along with the other five or six that are right there too. Mr. Davis said, right. The only point I was trying to make was under the current zoning a used car lot, a portable shelter, being the little yard buildings, we wouldn't even be here, so —.

Commissioner Odell said, so this regulation to approve this in essence would make it more restrictive —. Chairman Hair said, more restrictive. Commissioner Odell said, so if we want to clean it up, we should approve this because failing to approve it, he could go out and have a used car —. Chairman Hair said, put a storage lot out there. Commissioner Odell said, and storage building. Mr. Davis said, I would let Mr. Saxman address that. I wouldn't try to interpret the Zoning Ordinance. It's just there —, it kind of surprised us we couldn't put a mobile homes sales place in this zoning, but we could sell portable shelters, we could sell used homes. I mean, I don't know that leaving it a the current zoning or rezoning it affects you one way or the other, especially with the buffer requirements Chatham County has in place.

Chairman Hair said, all right, we need —, do we have a motion, Sybil [Tillman], or not a motion? The Clerk said, do not. Chairman Hair said, all right. Commissioner Price said, move —. Chairman Hair asked, for approval? Commissioner Price said, for approval. Commissioner DeLoach said, second. Chairman Hair said, we have a second. All those in favor of approval vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Price moved to approve the petition of Robert W. Anderson, III, Owner, requesting that a 2-acre parcel be rezoned from P-B-C (Planned Community-Business) to an A-T (Agricultural-Tourist) classification to allow a manufactured home sales lot. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

XIII. INFORMATION CALENDAR

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

ACTION OF THE BOARD:

Report received as information.

=====

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

ACTION OF THE BOARD:

Report received as information.

=====

3. STATUS ON CONSOLIDATION OF RECREATION AND INSPECTIONS DEPARTMENTS WITH THOSE OF THE CITY OF SAVANNAH.

ACTION OF THE BOARD:

Report received as information.

=====

PERSONAL PRIVILEGE - COMMISSIONER HARRIS ODELL

Commissioner Odell said, we've elected our new President of the Tidelands Community Mental Health [sic], and for those who do not know this, we spend a lot of time down there, and I'd just like to have her stand to be acknowledged, Mrs. Marianne Heimes. Chairman Hair said, congratulations, I guess. I'm not sure, but —.

Commissioner Odell said, that's the first one, and the second one is that today is Piccolo's birthday. Chairman Hair said, we recognized him before you got here. Commissioner Odell said, you've been recognized twice, Piccolo. Commissioner Price said, we've recognized him.

=====

PERSONAL PRIVILEGE - COMMISSIONER FRANK MURRAY

Chairman Hair said, Frank [Murray] wants to make a real quick comment. Commissioner Murray said, I didn't see it until last night in the paper, but a long time County employee, Ray Brightwell, died and I think he was in Hospice, wasn't he? Mr. Monahan said, yes, he was. Commissioner Murray said, he was with the County for quite a while and did a good job while he was here, and I just think we need to remember that fact.

=====

EXECUTIVE SESSION

Chairman Hair said, that completes our regular agenda. We'll now go into —, take a motion to go into Executive Session for what purpose? Mr. Pat Monahan said, purposes of litigation and land acquisition.

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

* * *

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

=====

APPOINTMENTS:

1. GEORGIA INTERNATIONAL MARITIME AND TRADE CENTER AUTHORITY

ACTION OF THE BOARD:

Commissioner DeLoach moved to reappoint Patrick Shay to the Georgia International Maritime and Trade Center Authority with a term expiration on May 1, 2001. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Jackel and Thomas were not present.]

=====

ADJOURNMENT

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

=====

APPROVED: THIS _____ DAY OF _____, 1998

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

SYBIL E. TILLMAN, CLERK