

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON AUGUST 28, 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, August 28, 1998.

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II. INVOCATION

Commissioner David Saussy gave the invocation.

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III. PLEDGE OF ALLEGIANCE

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

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IV. ROLL CALL

The Clerk called the roll.

- PRESENT: Dr. Billy B. Hair, Chairman
- Dr. Priscilla D. Thomas, Vice Chairman, District Eight
- Frank G. Murray, Chairman Pro Tem, District Four
- David L. Saussy, District One
- Joe Murray Rivers, District Two (Arrived approximately 9:05 a.m.)
- Martin S. Jackel, District Three
- Harris Odell, Jr., District Five
- Ben Price, District Six
- Eddie W. DeLoach, District Seven (Arrived approximately 9:18 a.m.)

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

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

None.

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VI. CHAIRMAN'S ITEMS

None.

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VII. COMMISSIONERS' ITEMS

1. CITIZEN CALL-IN TIME DURING COMMISSION MEETINGS (COMMISSIONER JACKEL).

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, the other day the idea came to me when I was talking with some citizens that they felt frustrated and cut off from their elected officials, that they weren't having an opportunity to communicate with them. When I thought that over, I realized the number of calls I receive. I know the number of calls the other Commissioners receive and our Chairman receives, and it was [inaudible] of calls, but I don't know often what they're talking about with their constituent concerns are or what I hear that they have. It seems to me if we could try for a six-months period an open call-in line where anyone could call in. We'd have some sort of five-second delay like the radio stations have so no profanity or personal attacks could take place. Citizens could have the advantage of talking to County Manager, all the Commissioners, and hear it out in the public all at one time. I know we have a call-in line where people can call in and leave a recorded message, but I just don't think people want to talk to some machine. They don't know who answers it, they don't know who gets the information. This Vox Populi in the paper has been very popular because there is reinforcement. People can call in, they see what they have to say in the newspaper. Even if what they had to say doesn't get in the newspaper, they see others do. That reinforces it. In addition, I've always believed that in the collective wisdom of our people I know there are many great ideas out there that we haven't considered. I think this is something that—, I think it's going to work, and all I'd like to see us do is first try it for six-months to see if it is—, if it is viable. If we get good constructive criticism from our citizens, if we get good ideas from our citizens, then we'll get a good response from our citizens.

Chairman Hair asked, any other Commissioners want to comment? Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I think the thought behind it is good; however, I don't know that we need to do that during a Commission meeting. As far as phone calls, there's not a day that goes by that I don't have calls. A lot of them are good and a lot of them are not so good. But I get calls every day, and that's part of our job in the districts we represent, and I think we each one give the citizens an opportunity to come to the meeting if they've got a problem that they need to discuss, and they can let us know that and we'll put them on the agenda. So I would—, even though I think what Commissioner Jackel is talking about is something that would be good and more support for the community, I just don't know that we need to go through a process like that with this—, at the present time anyway.

Chairman Hair asked, Commissioner River, did you want to say anything? Commissioner Rivers indicated a response in the negative. Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, I agree with Commissioner Murray. I think the idea may have great merit, but I'm tossing around in my head just how we can really do that at this particular meeting. I know that I spend a lot of time with my constituents during their monthly meetings. I'm constantly on the telephone seven days a week answering questions or getting information that needs to be brought to the attention of the Commission. I don't see how much more I can do as far as answering questions or bringing their concerns to the full Commission by opening up this particular meeting, you know, for a public forum. I don't know. The idea sounds good and it probably has great merit, but right now I just don't know how to deal with it.

Commissioner Jackel said, if I may respond. Chairman Hair said, go ahead, Commissioner Jackel. Commissioner Jackel said, I think the—, there is a possibility if they're able to reach us in an open meeting that we might get less calls, and that would be one advantage of, I think. The other advantage is it is hard, I think, often for many of our citizens to make it to a meeting, and yet they want to tell us about something that's going on, and they just don't want to tell me. They want to tell all of us, and that's a lot for some of them to reach all nine of us because I have tried that, and I know you have too, and by the time you get busy signals and people are out and they call you and you call them back and all this other stuff, it's a job. This way we just set aside a half hour and with one phone call they can talk to us, the County Manager, and the public.

Chairman Hair said, before I recognized Commissioner Odell, I've got some real problems with this. I don't know about the rest of you, but I don't have any trouble with input. I get—, on a slow day I get 80 or 85 calls. On a hot day I 100 or 120 calls. I think we—, the public has ample access. I'm listed in the phone book. People call me at home. That's fine. I just think that the kinds of things that would come up in these calls would be things that would be very difficult to deal with in a Commission meeting. For example, they're going to be raising issues that we're going to have to research and get information from, we're not going to have the right people at the meeting to answer the questions, and that's going to even be more frustrating for the people. I think the intent is sound, but I just think this is not the best way to go about it. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, Billy [Hair], I think you've summarized basically what my feelings are. I think that—, I've been faxed, telephone called, had letters mailed to me, stopped in the Courthouse, stopped in front of this building. Any more input to me, I'm not certain how we could control it. No one wants to increase taxes. We have a very slim administrative staff. My concern is that questions now, we have a definite way of funneling those questions. If you want to voice your opinion to everyone here, then we put people on the agenda, in all honesty, in any other case they may not have been on the agenda. I think the input and the idea is good, Martin [Jackel]. If I get any more input, then there's a legal term called bankruptcy. We get enough input.

Chairman Hair recognized Commissioner Price.

Commissioner Price said, I think the concept is a good idea, and it may be that the forum of our meeting itself is not the place for it. But, Martin [Jackel], we do have a government channel that we're getting ready to broadcast, we're getting ready to start, and I'm sure getting with Lori [Griffin] about that, there's probably a section of—, plenty of space in that broadcast day,

or one day a week or one day a month, what have you, to promote an idea of doing such as that. I think it's a good idea. It would also give the opportunity by having it on television, everybody else to watch it and to see it. It could be rebroadcast, you know, at a later date, even more than one time a month, more than, you know, whatever we feel like is a good thing to do. Also, I'm sure there are a lot of radio stations out there, talk radio stations, that would love to do that, they would love to have maybe yourself or the Chairman or someone else from the Board that would host a show like that. So I think the concept is a good idea. I just think that maybe this is not the forum to do it in as we conduct the official business of the County.

Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy said, yes, I think the idea is a good idea, but this is not the forum right here to do it. I think the idea that Ben [Price] just came up with and maybe when we get the channel in for the TV we could have one night a month for all of us to be there or [inaudible], whatever the citizens want.

Chairman Hair said, I agree. Any further discussion? Okay, next item.

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2. SAGIS BLUE RIBBON COMMITTEE (COMMISSIONER PRICE).

Commissioner Price said, so I won't ramble and so that you guys will hopefully have patience with me on this, I'm going to read something to you, and when I get done reading that will be all I'll have to say. Okay? Chairman Hair asked, is that a promise? Commissioner Price said, that's a promise. Commissioner Price then read the following into the record:

Chatham County has, as have numerous communities throughout the United States, seen the wisdom of establishing an in-house Geographic Information System (GIS). Of special note is the fact that in order to reduce costs and duplication, the County has partnered in this effort with the City of Savannah, Savannah Electric and the Metropolitan Planning Commission. This joint effort is named SAGIS (Savannah Area Geographic Information System).

The purpose of this endeavor is to reduce the cost of everyday business and increase efficiency of governmental operations by converting paper maps and data now managed by the County and its partners into electronic data and maps. This conversion facilitates ease of updating, reproduction and maintenance. In the long run, cost savings are effectuated. Simple cost savings include having to update (such as adding a new street) only one electronic base map instead of the five or six maps previously requiring updating (water line maps, sewer line maps, drainage system maps, zoning maps, etc.) Larger cost savings include such items as the seven million dollar savings experienced in the drainage program simply because better topographic maps and computer programs to manipulate them were available through the GIS program.

Chatham County and its partners are well on their way toward fully implementing an internal GIS system, through SAGIS. This will enable them to change the way mapping, engineering and planning functions are accomplished. But they are not the only players in the game! They are part of a larger economic development process which affects the future of all Chatham Countians. The private sector has an enormous interest in what Chatham County and its partners do in the GIS arena. Such interests are held by realtors, developers, engineering firms, surveyors, businessmen, and the like.

But how should local government involve these private interests? What is the best way to make what Chatham County does with its GIS program meaningful for the private sector? Is there anything else the County can do which would make the process of economic development easier, reduce the cost of doing business in the community and enhance its competitiveness with other communities?

It is a mistake to assume that the answers to these questions are now known. A mechanism needs to be established whereby the private sector can articulate, within the framework established by Chatham County and its SAGIS partners, how it would like to work with the system, how the system can be adjusted to maximize benefit to both the public and private sectors, and how the private sector can be of benefit to Chatham County and its partners through a cooperative arrangement.

To this end, it is recommended that Chatham County:

1. Endorse the concept of a Blue Ribbon Committee composed of representatives from key components of the private sector, working with the SAGIS Board, to recommend ways by which the local GIS system can truly meet the entire community's GIS needs, with special emphasis on economic development and quality of life issues.
2. Direct the MPC to work with other local governments within the community to establish such a committee. The committee would be charged with the responsibility of familiarizing itself with the approach being taken through SAGIS to establish a meaningful GIS process, and addressing the questions raised earlier regarding how the private sector can contribute to, utilize, and support the GIS system being created through SAGIS.
3. Charge the MPC to work with the SAGIS Board and Staff, to coordinate the efforts of the Blue Ribbon Committee as it carries out its assigned responsibilities.

Commissioner Price said, in your package you'll find two pages under Section 2, and it's a GIS committee structure and then what the goals and objectives of this committee would be, and basically what I'm asking today for you to do is to endorse this concept. If you'll note, we have a broad base of representation on who this committee—, what this committee would be—, how it would be structured and who would serve on this committee, but it's really a needs assessment. It's a needs assessment from our community asking them what is it about this GIS system can we provide and how can we provide it and what are the—, all the tangibles and the questions regarding putting something like that in place, what's it cost, what kind of revenues can it generate? All those types of questions are also part of what this committee would be charged with.

Chairman Hair asked, Ben [Price], do you envision that this committee would ask for any funding? For itself. I'm not talking about SAGIS, I'm talking about would it require any expenditures of County dollars to do this? Commissioner Price said, I don't believe so, no. No, I don't think—, this would be a committee of interest individuals, both from the private sector and the government side, working together to try and build an enhanced system that we've already invested millions of dollars in. Chairman Hair said, my only other question would be, does it not get the input now from the MPC? Isn't that—, doesn't it get a lot of public input from MPC and those are sort of a broad based group? I mean, what would this group add that the current MPC would not add? Commissioner Price said, well, since Russ [Abolt] serves on the MPC on our behalf, I'd Russ to comment on that.

County Manager Abolt said, the answer to the question is no. SAGIS is a very particularized application of late-breaking technology. MPC is a body that confines itself to land use matters. In the future it will be using SAGIS data, but there is no occasion or opportunity for MPC as a deliberative body to give advice to SAGIS.

Chairman Hair asked, any other Commissioners have any questions of Commissioner Price on the issue? Do you want to make a motion? Commissioner Price said, yes, if you will allow me to do so. Chairman Hair said, certainly. Commissioner Price said, I move that we approve the recommended items that I've just reported to you, which include endorse the concept of the Blue Ribbon Committee, direct MPC to work with other local governments within the community to establish such a committee, and charging MPC to work with the SAGIS Board and staff to coordinate efforts of the Blue Ribbon Committee as it carries out its assigned responsibilities. Commissioner DeLoach said, second. Chairman Hair asked, would you accept an amendment that it would not request funding, would not be any monies regarding—. Commissioner Price said, that is fine. Chairman Hair said, okay. Eddie [DeLoach], would you—. Commissioner Rivers said, I don't—, that's not necessary because if they come for funding, all we've got to do is refuse it. Chairman Hair said, well, that's true, but I think they should know that up front, Commissioner Rivers, that they're not going to get any. So, I just think it's important. All those in favor of the motion vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

Commissioner Price said, thank you, gentlemen and Dr. Thomas. Chairman Hair said, thank you.

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3. PUBLIC TESTIMONY REGARDING STEPHENSON AVENUE IMPROVEMENT (COMMISSIONER SAUSSY).

Chairman Hair said, before I recognize Commissioner Saussy, I have discussed with the attorney—, we need to, and I will say this for the benefit of the audience primarily because I know a number of you want to discuss this item, and we'll certainly hear everyone and give you ample opportunity to say what you want to say, but it is important that we tell you that you cannot discuss anything dealing with real estate values. That is an executive session item and if you start talking about cost of land and those kinds of things, I will be in a position where I'd have to rule you out of order, and we'd have to go into executive session to discuss that. So please keep your comments away from real estate values and costs of parcels and that kind of thing, and if you do that, we'll entertain anything you want to talk about. Okay, I think that's a fair request to make. Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy said, thank you, Mr. Chairman. Several weeks ago, a group came to me and was concerned about the Stephenson Avenue four-laning—, possible four-laning of that corridor, and we had a meeting—, they had a meeting about two weeks ago now I guess it was with a bunch of the property owners on that street, and it was discussed could we—, could they have a hearing here, an airing so to speak rather than a hearing, at the Commission meeting so I asked if we could do that and you graciously allowed this to happen. I think these people have a valid concern and I want us to hear them out and I have a concern because it is, in my opinion, the motion that was made had nothing to do with four-laning whatsoever. So if we could go from there and have those that would like to speak. I think Harold Yellin is representing them at this time.

Chairman Hair said, I will like to say again for the benefit of the audience—, I would ask everyone, so that we have ample time for everybody to talk, try to keep your remarks fairly brief and if you've got a group of people—, I know Mr. Yellin represents one group, we ask for a spokesman for the group, but otherwise anybody can certainly speak on anything they want to talk about. Chairman Hair recognized Mr. Yellin.

Commissioner DeLoach said, before Harold [Yellin] starts, can you give me the County's position on this as far as we know it or as far as the way we voted on it?

Chairman Hair asked, Russ [Abolt], do you want to summarize where we are. Commissioner Saussy said, I would be happy to read the motion. Maybe that would clear some of it up. Chairman Hair asked, do you want to do that? That would be fine. Commissioner DeLoach said, that will be a start. Chairman Hair said, read that in the record.

Commissioner Saussy said, this was August 23rd, 1996, the motion was, "Commissioner Saussy moved that Board approve the concept for Stephenson Avenue which includes a five-lane section between Abercorn and Hodgson Memorial Drive with sidewalks and bike lanes; for the section between Hodgson Memorial Drive and Waters Avenue, approve three lanes with the middle lane being a turning lane, and that the County purchase the full 84 feet of right-of-way, preserving the right-of-way

in perpetuity to save the trees and that additional trees be planted on either side of the right-of-way. Commissioner Price seconded the motion. Chairman Mahany and Commissioners Saussy, Rivers, Murray, Odell, Price and Thomas voted in favor of the motion. Commissioner DeLoach voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Shay was recused from voting on this issue.]

Commissioner DeLoach said, so we have basically said that we just want three lanes and either said would be kept—. Commissioner Saussy said, in perpetuity. Commissioner DeLoach said, yes. Chairman Hair said, that was the motion at that—. Commissioner Saussy said, to save the trees. Chairman Hair said, right. Commissioner Saussy said, so nothing on four-laning whatsoever. Chairman Hair said, and the 84 feet would be the three lanes right-of-way. That would be the equivalent. Commissioner Saussy said, well, actually that's the equivalent of the four lanes. Chairman Hair said, for the four lanes, so you did approve the four lanes. Right? Commissioner Saussy said, no, no. We approved 84 feet of right-of-way preserving the right-of-way for trees, and the discussion was that that right-of-way would be like a park area on either side. Commissioner DeLoach said, right. Chairman Hair said, okay.

Chairman Hair recognized Mr. Harold Yellin.

Mr. Yellin said, thank you, Mr. Chairman. For the record, my name is Harold Yellin. I do represent several property owners who both live and work on Stephenson Avenue. We are here today to talk about just design. We are not here to talk about fair market value, so I hope that that addresses your concern. As you probably know, these residents and business owners have recently received notices, and in at least two instances that I'm aware of they've received actual complaints, condemnation complaints, that their property is going to be condemned for the widening of Stephenson Avenue. Here is there common concern. Chatham County did vote to build a three-lane road, but our notices reflect that you're condemning enough property for a five-lane road. And that, in a nutshell, is the problem. Despite assurances that Chatham County will only build a three-lane road, we are very concerned what happens when Chatham County builds a three-lane road and then conveys this road to the City, as I understand that it will be doing. The City could, in fact, and I'm not saying that they will, the City could, in fact, convert this three-lane road into a five-lane road, the City could, in fact, build medians, which is exactly what you voted not to do; it's exactly what my clients want not to happen. The scary part of all this that the City, if they chose to do it could change the design without any notice to the public. It's my understanding since the additional land, the five lanes have already been condemned or will be condemned. They could change the design in the same manner that they would add a traffic light or a signal, just police power. Although I don't think they would do it without notice, they certainly could. What is also scary to my clients is that there could be two construction periods, one when the County builds a three-lane road, the second if and when the City decides to change your design. So this scenario, we believe, just wasn't intended by the Chatham County Commissioners, but it's a result that could happen when you condemn enough property for five lanes, but you only build a three-lane inside the five. And that's why we're here today asking for your help. We would ask that you please reconsider, or consider for the first time, anything that could help us to assure that this property, this road, this limited access road, will stay a three-lane and not a four-lane with a median or a five-lane. We'd like to ask you to consider just a few points. Number one, Stephenson Avenue is a limited access road. It runs from Hunter Field to Waters Avenue. That's it. It can't go any further east and it can't go any further west. This would be different if we were talking about DeRenne Avenue. DeRenne Avenue should be five lanes. It runs from LaRoche all the way west and keeps going to 516. That makes sense for five lanes. Eisenhower makes sense. It starts like we do at White Bluff, but it keeps on going to LaRoche. That should be five lanes. Montgomery Crossroads, five lanes. It starts at Skidaway, goes to Abercorn, but keeps going to Middleground Road. It's a major thoroughfare. There are certain roads that we think justify being five lanes; there are certain roads that don't justify being five lanes. Anyone who's ridden on Stephenson Avenue has to know we're a limited access. Secondly, we would ask you to take a look at the traffic counts. It almost seems like it's in the eyes of the beholder. I have seen traffic counts all over the board. I've seen some that say we're more than Mall Boulevard, some that say that say we're less. Every time I look around there's a different number. I think it probably depends on when you took the count and maybe during the improvements to Waters Avenue traffic did get diverted onto Stephenson in yet a particular high count, one day, but I can tell you this. I have been to three meetings with the neighborhood, Mr. Saussy was at one of them. It was at 6:30, which is what y'all would call peak-hour traffic, and we look out the window and there's nobody on Stephenson. Five to seven I've been told is peak hour, and we sit and look out the window at the traffic light at Waters and Stephenson. There's just nobody on the road. We'd also ask that you consider the impact of other roads that are under construction. I don't know that a study is ever been done. When Truman Parkway is built, when our newest south connectors are in place, what's the impact on Stephenson? I've got to believe that the impact will be significant. And then, lastly, would you please consider the trees that are on Stephenson now. I was told that y'all made this motion to protect the trees, yet every neighbor to a person says that there will be a net loss of trees if you build this road and you condemn for five lanes. So on behalf of all the property owners, we ask that you not build a road that the property owners who live and work on Stephenson Avenue don't want. We'd ask that you not spend taxpayer money on a road if it's not needed. But if you're going to improve Stephenson, please make it three lanes and please keep it three lanes. And at this point there are some property owners who would also like to address the specific concerns that they have. Thank you for your attention.

Chairman Hair said, Commissioner Murray—. Lets get rid of some questions and then we'll recognize everybody. Commissioner Murray and then Commissioner Jackel.

Commissioner Murray said, Mr. Yellin, just one comment that you made, and that was about the traffic studies. Each one is different and some are plus and some are minus—. Mr. Yellin said, it seems to be. Commissioner Murray said, just remember that the next time you bring a zoning request and one of your traffic studies to us. Mr. Yellin said, I'd be delighted, I'd be delighted. Commissioner Murray said, we've argued that point before haven't we? Mr. Yellin said, but you know what? It is true, and if you like I'll be happy at the next meeting to bring you the actual count. Commissioner Murray said, well, that's not really my question. I don't know how it got to where it is today. Mr. Yellin said, we don't either. Commissioner Murray said, because the Commission at the time they voted on this they voted to do three lanes, the center lane being a turn lane with no median. We did vote to purchase the total right-of-way so if down the road—, and I know the motion is a little different than that that's in the minutes, but down the road if there's a need to go with the five lanes, which we doubt very seriously there is, or the four lanes and a median, then the property would already be there, the County would already have the property for that. That is why the extra property was being purchased in this and not to go in and clearcut all the trees, not to do any

of that they're talking about doing. I'm certainly not an engineer, but I don't know how it got to the four lanes now because of the recommendations that were made after our meeting, but the Commission voted to do three lanes and that's the way it should be, and I don't—, I think staff—, because if there's a difference in that, then staff needs to explain where it came from because this Commission did not vote to do the four lanes.

Mr. Yellin said, I think the issue is even if the Chatham County Commissioners want this road to stay three lanes, it's my understanding that it will in fact be conveyed to the City in fairly short order. That's the natural course. Is the decision then removed from Chatham County and turned over to the City of Savannah whether they want it to be five lanes? Commissioner Murray said, I understand that and I can't speak for the City, but I think it would be mighty foolish for the City to come in after we've just done a three lane road and tear it all up and start over from scratch again. I don't know whether they would do that or not. Mr. Yellin said, we don't—. Commissioner Murray said, one of their traffic people out here now might be able to answer that question. Mr. Yellin said, we thought perhaps one solution might be—, as I listened to Mr. Saussy read his motion over again, it seems like it was the intent that it be a three-lane road, not with trees in the middle on a median, but out the outside on the shoulder, and it seems to me that the easement that's on each side of the three lanes should be a permanent tree easement. There should be some form of guarantee to Chatham County and the residents and the business owners that it's trees. The way the condemnation petitions have been filed and the notices been received, that's open for vehicular traffic; at any point you can simply push that road open and make it five lanes. That's what scares the neighborhood. They've been hearing three lane, three lane, three lane, but the way that you're condemning the five leaves this thing totally open for something unanticipated. That in a nutshell is the problem.

Commissioner Murray said, purchasing the right-of-way that we've purchased or in the process of purchasing has nothing to do with the amount of lanes we're building now. Chairman Hair said, okay. Commissioner Murray said, we voted to do the two lanes with the center lane as a turning lane. That's what should be done, and that's probably where the most of the people—, because I've talked to several of them myself, and that's what we voted on and that's what's should be done with it right now, and whether it has to be deeded back to the City of not, I can't answer that question, but we—.

Chairman Hair said, I'll recognize everyone. Commissioner Jackel, Price, Rivers, DeLoach and Odell in that order. I've got a question for the attorney before I recognize Commissioner Jackel. Since I was not on the Commission at the time this motion was made, and maybe, Russ [Abolt], I'm not sure, one of you could answer this. If the Commission voted in '96 to take it to three lanes with permanent easements on both sides, how now are we as a staff condemning it for five lanes? Where did the authorization to do that come from? County Manager Abolt said, the authorization came from the motion itself. That was in—. Chairman Hair said, the 84 feet includes the five lanes? County Manager Abolt said, if I may, Mr. Chairman, and I know all the Commissioners that were here remember it. Extensive testimony spanned at least two meetings. You had active testimony. Staff recommendation, in fact, a joint staff recommendation of both County and City staff, as to what we felt was in the best interest of at least the motoring public. You had testimony from those endorsing protecting the trees. Initially that was driven by a desire to create a median strip with trees. Then in the discussion with the County Commission and then in compromise decision, it was thought better to preserve the trees that adjoin the roadway as opposed to trying to create new growth and have maybe 20 years pass before they become canopy trees, and that was the result of it. The result was acquire enough right-of-way so, in effect, we could do it all and do it now. The down side of it is though, when you're talking any—, you know, in perpetuity or prohibition on, you know, expansion, that is all pervasive and I'm not aware of any governmental organization that has ever done that. You find yourselves certainly with a very dynamic community, a community that as it grows will have differing needs, and you have to preserve for your option, and the option of those who come after, the right to exercise police powers in the greater interest of the County and, in effect, not create prohibitions that are really unrealistic.

Chairman Hair asked, so, Jon [Hart], you're saying if we were to convey it to the City that we couldn't restrict them from going to five lanes some time some time in the future? County Attorney Hart said, there are a couple of things. Commissioner Saussy's memory on the subject is very accurate. We went back and reviewed the extensive testimony that was given, and the reason for the five lanes, as you can—, if you want to go back and read the minutes—, was initially a decision was made to go ahead and take that much property so that if something had to be adjusted at a future date there was that planning tool and you wouldn't have to go back and do a retake, but it was also a way of preserving a number of specimen oaks that were on that—, within that right-of-way. The way the motion was made was just as Commissioner Saussy has said, but there is some issues there about the ability of one Commission to bind other Commissions in regard to perpetual easements as such, and I think the County Manager has alluded to that. As you know, future Commissions have to have the right to make decisions that are in the best public interest in the exercise of police powers. It is my understanding that it's pretty clear from the intent of the minutes that the then-sitting Commission wanted three lanes in that area with a center turn lane and without a median, but reserving those two outer strips of about 20 feet on each side, I guess it would be, for either sidewalks or tree preservation. And that's pretty much the way it is.

Chairman Hair recognized Commissioner Jackel. Commissioner Rivers said, let me ask a question while we've got him here because it pertains to the same thing that you—. Let me ask you this. If we convey what we have done here to the City, now it no longer binds any Commission because we're conveying over to the City. County Attorney Hart said, yes, sir. Commissioner Rivers asked, can we not put in there that we dedicate those spaces where we've got those trees, that that's a dedicated space to a park-like median to be used as such in perpetuity because we're conveying that amount of land over to the City, and the only person that would be bound [sic] by that would be the City in our conveyances? County Attorney Hart said, that would probably require a little more research than being able to answer right here. Generally, restrictive covenants are narrowly construed and, generally speaking, the police powers of, say, the City would allow them probably to condemn that easement. If we put an easement on—, some type of restrictive covenant on there, they could probably condemn that restrictive covenant because they would be exercising their police powers there. I would—, and I would have the same type of reservations about that type of restrictive covenant in a conveyance about how far you could bind that, but that would probably require a good bit of analysis to say definitely one way or the other.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel asked, Harold [Yellin], is the problem any width over three lanes? I mean, if it was four lanes without a median, would that be acceptable? Mr. Yellin said, the—, if I could take one step forward and two back. The folks on Stephenson anticipated, through meetings, that it would be a three-lane road and the additional footage on each side of the three lanes we thought was going to be for trees and for landscaping and for some of the things that Mr. Saussy alluded to. Commissioner Rivers is on the right track when he's asking can we put restrictions on the road, and that's something that I haven't thought about. The County Attorney is, of course, correct. The whole area of restrictions is fraught with peril in Georgia. Before I answer your question, I also want to maybe pose the other solutions. Perhaps we can look into this. I don't know why the County has to convey all of the property to the City. Maybe they could retain some of the shoulder and only convey the three lanes. Then I know that the City can't condemn the County. There's a rule in Georgia that talks about one County—, one municipality can't condemn the other municipality. That may be another way to preserve the shoulder. That would take some research. I'm not prepared to answer that either, but I think—, getting back to your question, Mr. Jackel, we have a certain—, not an arrangement, but an understanding with the County, once this property leaves the County and gets conveyed to the City, I don't know what the City is going to do. They're on record as saying that they want to have four lanes and a median. I know that future City Councils may have a differing view, but the prevailing view of the City, from what I've been told, and I wasn't here either at that meeting, is that at least the City wants to have four lanes and a median, and that doesn't sit well with the people who are sitting behind me. They have an understanding with the County that that's not the design, that's not what was agreed to. Commissioner Jackel said, well, what we have in our staff report indicates that for some reason it was to be a four-lane road, developed in two separate phases is what our staff report says.

County Attorney Hart said, on a separate agenda item that was added at a later date, for purposes of some design phases that was approved by the Commission subsequent to Commissioner Saussy's original resolution, and that allowed the design phase for four eventuality to make sure that we had the right right-of-ways and curbcuts in the proper place so that we didn't have to go down and redesign the whole thing all over again if in 10 years out you did, in fact, put a four-lane in.

Mr. Yellin said, and I think all that's part of the confusion. We're just not sure how we got from where we were in '90—, was it 6—, '96 to where we are now in 1998, and I guess we're just asking everybody to kind of take a deep breath and say, let's think about what we intended and can we get there.

Commissioner Jackel said, well, I understand that. What it then goes on to say is—, and I'm quoting here, "The road has been designed to four-lane standards at a considerable expense." It then further says, "Our design consultant indicates that doing this matter in two phases is an appropriate item for funding, however, if the original plan to four-lane is not carried out, it could jeopardize traffic flow patterns of other projects that were designed in contemplation of Stephenson eventually being four-laned." That's what we have in our staff report. Mr. Yellin said, but despite that you approved three lanes. Commissioner Jackel said, I'm sorry. Mr. Yellin said, my understanding was that despite what that staff report says, what was approved was three lanes. So there must be something even after that that has led you to design—. Commissioner Jackel said, right. What I'm trying to see—, what I'm trying to see if there's any grounds to compromise here or is it—. Mr. Yellin said, there's always room for compromise, but the problem we have right now is Chatham County has already begun at least two condemnations that I'm aware of, perhaps more. Those are the only two that I'm aware of. Where they're proceeding to condemn enough property for five lanes, and what I'm simply suggesting is that if we do take the time to study this and perhaps compromise, we also need to kind of keep an eye on what's already happening because of the condemnations. Commissioner Jackel said, well, Mr. County Attorney, if we took the land and then dedicated the outside strips as a park, would that give the protection from the City that—, without being able—. Commissioner Saussy said, that's what the motion originally said. Commissioner Jackel said, but if it—.

County Attorney Hart said, you're taking it for road purposes, number on. It's like doing a right-of-way acquisition. If you start dedicating it as parks—. Commissioner Murray said, well, linear parks are part of the road systems. County Attorney Hart said, yes, that raises another set of issues that I would prefer to discuss in executive session. Commissioner Jackel said, okay, and the money would be coming out of the SPLOST anyhow, which is dedicated to roads and not parks. Chairman Hair said, that's really a funding issue that we need to be careful—. Commissioner Murray said, purchase of right-of-way is not necessarily roads. Commissioner Price said, SPLOST is more than just roads.

Chairman Hair asked, Jon [Hart], you just said that there was a motion subsequent to the motion David [Saussy] read that took it to four lanes? County Attorney Hart said, well, what happened was apparently there was an agenda item—. Commissioner DeLoach said, design. Chairman Hair asked, design? Commissioner DeLoach said, design. It was designed—. County Manager Abolt said, it was a compromise, it was a compromise. County Attorney Hart said, there was an agenda item back on March 14, 1997, in which there was an Item L, which was approval to Amendment #3 to the contract with Moreland Altobelli for purposes of a design for the widening project on Stephenson Avenue, and my understanding of that was they went back at that time, while they were doing the design phase, and looked at the engineering possibilities of what they would need to do to—, if a four-lane were to be at some later date because the curbcut requirements for a three-lane versus a four-lane were somewhat different, and they wanted to make sure that the ingress and egress for those people were appropriately designed so that if something else came along at a later date the impact would be less on the landowner at that time.

Chairman Hair said, Commissioner Price. Let's get back to our order and then we'll try to give everybody a chance to say what they—.

Commissioner Price said, I wish we had a layout of what the design is. I don't know if in your meeting you've had that, Harold [Yellin], with the property owners along Stephenson. Mr. Yellin said, I have one here, but it would take time for you to—, you can't just—. Commissioner Price said, my point is we need to understand where we're talking about three-laning and where we're not because up to Hodgson is where we propose the three-laning from Hodgson to Waters, but from Hodgson over to Abercorn there's a need for more than three lanes. There's a need for the four lanes or the five lanes in that area, so I don't want any of this discussion to be confused with, you know, the whole stretch that we're talking about, the whole stretch of area that we're talking about. Another thing is I work on, as you probably know, I work on Stephenson and at 6:30 in the afternoon there isn't any traffic out there. Most people have already gone home, Harold [Yellin]. I know you guys had your meeting at

that time, but I can tell you personally trying to get out at any part of the day of that—, where I work at A. G. Edwards, and onto Stephenson is at best taxiing to my patience. I mean, it takes three to five minutes just to get out on the road, and I can tell you right now the way it is now is not satisfactory, and to do nothing would be a big mistake. So I've heard from some of the people out there saying just don't do anything and wait until Truman's finished out to Eisenhower. We've got to do something with that road now, whether it's three lanes—, I mean, my original support of the motion was that it would be three lanes, and I can understand when we went from there and the need to go to looking at the design and everything else, but I am not going to stand for doing nothing here. Mr. Yellin said, we don't have a problem with three lanes, and—, Commissioner Price, as you know, I live around the corner, and I was on Stephenson as recently as this morning, and there are times of the day when there's more traffic than other times. The concern we have about five lanes will be—, it's always been my experience that you build a bigger road and people will come and use that bigger road. You will actually be adding traffic just by virtue of the fact that you can pass folks. So I'm a little bit concerned that it's almost like the *Field of Dreams*, if you build it, they will come. If you four-lane or five-lane this road, you will be dumping more traffic than is there now. It will also be putting perhaps median cuts which will cause people to have to make U-turns. You will not be able to make a left turn out of your place of business. You'll have to take a right turn and then make a U-turn to head back. I'm a little bit concerned about some of those design issues, which may or may not be appropriate for discussion here, but if the issue is whether we are okay with three lanes, I can speak for the neighborhood group and say three lanes is fine. We're okay with making that commitment to three lanes, which is what was the motion in '96. What unnerves us is condemning for five lanes and not knowing what's going to happen in the future. That's a real concern for us.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, okay. I have a couple of kind of key questions in a sense. Even if we agreed here today without some restrictive covenant or with some—, without some dedication of a park, what prevents the City from condemning at a future date? If we did nothing at all, what would prevent the City from putting five lanes in there anyway? I mean, it has that latitude and the only thing that's going to prevent it and the same thing that you citizens are doing here today, coming before this Commission and expressing their opposition, and hopefully it's prevailing here. Hopefully the same thing will prevail at the City Council. So I think the citizen has that same mechanism. I think the best thing that we can do is try to protect that area from our standpoint. If it takes research by staff, I would advocate that, and yourself, that you go back and research it to see how many restrictive covenants that we could put in there, how difficult can we make it if they decide to condemn and change at a later date, and it may take the City years and years to do that to remove those covenants and condemn that property. By the time they get through courts it may not even be worth it. So my thing would be is to advocate that staff go back and research this because I think the citizens are concerned there about five lanes, and if that's the concern, the only thing that we can do is to petition the City not to, or if it goes to condemnation, to contest that condemnation, but if we put in a dedicated—, dedicate those strips as parks, as linear parks, or put restrictive covenants on them if we can legally do that, then that should be done, and that's what I would advocate. That's what I would make a motion to do. If I'm in order at this point, I would do that. So I would make a motion that would advocate staff—, instruct staff to go back along with Mr. Yellin and do some research on this to see if we can put in restrictive covenants. At the same time I think we need to collaborate with the City of Savannah. We can't bind this to future Councils or Commissions, but at least we can start the effort here and they would know what the citizens want as well as what our wishes are. Commissioner Murray asked, is that a motion?

Chairman Hair said, we have a motion on the floor. Commissioner Rivers said, so moved. Commissioner Saussy said, second. Chairman Hair said, now we have a second to the motion. Any discussion on the motion itself? Commissioner DeLoach asked, we're just going to continue discussing? Chairman Hair said, correct. Commissioner Rivers said, yes. Chairman Hair asked, any? Okay, all those in favor vote of the motion—. Commissioner DeLoach said, hey, wait a minute. Are we going to continue the discussion? Chairman Hair said, well, if this motion passes—. Commissioner DeLoach said, well, then I want to discuss the motion. Chairman Hair said, okay. If you'll just withhold that. Commissioner DeLoach, you're next on the list anyway.

Commissioner DeLoach said, yes. I think we have—, to me we've got a problem here if we go ahead and just start restricting the—, binding people that aren't elected to office at this time. I don't think we can do that. I don't think it legally would stand up more than five minutes in court, but the original idea we had and the big argument that we originally had back in '96 was we wanted—, and one of the reasons I voted against this was originally we wanted to put a median down the middle and then put the lanes on either side. That was the idea with a tree canopy and all that stuff. I think the discussion came up about how bad Eisenhower looked with the width that it is with no tree canopy and so forth and so on. So originally the idea was to go to that number of lanes, but to compromise and for the citizens we agreed to go to three lanes. That was the—, the original intent was to go to three lanes, and—, but we, trying to use some judgment for long term growth, which we're nixing right now by this vote, is that we were going to buy for five lanes so that in the future, and everybody out there right now wants it, you know, three lanes and I don't have a problem with three lanes. I'm sure the City of Savannah wouldn't want to spend a million dollars to add a median and two turn lanes on either side. I don't think they've got that kind of money in their pocket to where they're going to come out and spend that kind of money to take up a road that we're putting in, put a median in and then turn around and pave two lanes on either side. I can't imagine the citizens allowing that to happen. I can't imagine anybody with any sense doing that, but long term we bought that right-of-way because people were building up against the road to the point that we were going to have to condemn businesses and all—, and things like that to get that right-of-way. So we said, hey, the smart thing to do is we're going to take care of the citizens and we're going to put in a three-laned road. That made David [Saussy] happy, that made the number of—, that's how we compromised to this point to where David [Saussy]—, we had enough votes to get that passed for the three lanes. So we built it that way, but we also left ourselves some latitude in there so that long term we would not be saddled with having to go back and buy expensive right-of-way because we'd have to condemn homes and businesses and all these other things because we were going to put in a five-laned road. Now to go up here and start dedicating right-of-ways for parks and all, which will stand up for about five minutes in court and then they'll throw it out and then we'll be going again, is just—, I mean, it just doesn't make any sense when we've already gone on record that we want to leave this as long as possible as a tree canopy, and the tree people were here. They all spoke their mind. That's the reason we bought that other area. David Saussy recommended we buy that other area so that we could keep those trees. So we bought the additional two lanes. We didn't have to buy those, but it would—, long term we would take the pressure off the next group that had to come through if it had to be five-laned. It would also give us tree canopy for a number of years after that. So I really think we're just reversing everything that we did originally to try to make

this—, and as far as the four-lane planning, we did that—, again, the point on issue was let's plan ahead so that we save taxpayers money so when Moreland Altobelli is doing the design, let them go ahead and make sure about that four lane with a median so that we will be okay if in the future we have to do this because that's what we were all studying for. That's where we are today, and what we're doing now is just reversing all that, and it doesn't—, it really doesn't make any sense to because we're doing exactly what we agreed to do on the first motion that we just dedicate it and we go ahead and put the three lanes in. I can't fathom somebody coming back and spending another million dollars to add that distance of road, or a half a million dollars or whatever, to satisfy somebody's—, I don't know—, ego. That's the only thing it can be because it would at least give it long term a chance to see how a three-laned road worked. So it just doesn't make any sense for us to go back and reverse everything that we've already done to save us money and to save the taxpayers money originally, and all these folks were here when we did this compromise. Every—, if you weren't here, it was your fault because we had, we had people here—, I don't know how many people we had here spoke about it, and Harold [Yellin] was here—. Mr. Yellin said, no, I wasn't. Commissioner DeLoach asked, did you get a chance to speak, Harold [Yellin]? Mr. Yellin said, I was not here for those meetings. Commissioner DeLoach said, I missed you. I wish you had been here. Mr. Yellin said, I'm sorry. I wish I had been here. Commissioner DeLoach said, but the point is we tried to compromise with everybody to come up with what everybody felt like was what we wanted to do here, and we had a zillion people up here speaking. So I'd hate for us to go back and reverse everything that we've done.

Commissioner Rivers said, Mr. Chairman. Chairman Hair recognized Commissioner Odell. Commissioner Rivers asked, can I give a reply. Commissioner Odell said, I'll yield to—. Chairman Hair recognized Commissioner Rivers. Commissioner Odell said, the other black guy. Commissioner Rivers said, we misunderstand one thing here. We said we compromised. This motion here that's in here reads clearly to me that Commissioner Saussy moved the Board approve the concept for Stephenson Avenue which includes five-laned sections between Abercorn and Hodgson Memorial Drive with sidewalks and bike lanes. For the section between Hodgson Memorial Drive and Waters Avenue, approved three lanes with the middle lane being a turning lane, and that the County purchase the full 84 feet of right-of-way, preserving the right-of-way in perpetuity to save the trees and that the additional trees be—, and that additional trees be planted on either side of the right-of-way. Now that tells me that this motion that we approved, with the exception of your [DeLoach] vote, was that we do what I'm saying in this motion, but we do it in such a way that we try to preserve that three-laned area for as long as we can. I know we—. Commissioner DeLoach said, but my point is—, my point is we've already done that. What else can we do? Why do we go and do this again if we've already done it. I mean, I didn't vote for it, but I don't have a—, I mean, the point is it doesn't matter whether I voted for it or not, it passed and we have a clear understanding that that property is supposed to be preserved. Commissioner Rivers said, okay, but—. Commissioner DeLoach said, but we—, once they condemn it, I mean, once they come in there and say, hey, guys, you don't have any right here any more, what can we do except go to—. I mean, what can you do? Commissioner Rivers said, okay, but what we're saying, and what I'm saying in the motion, and I'm instructing staff to see if it can be done. It may hold up and it may not. I don't know. Commissioner DeLoach said, well, I don't have a problem looking at it, but I'm just—, I just don't want a—. Mr. Yellin said, Mr. Chairman. Commissioner DeLoach said, free-for-all.

Chairman Hair said, one other—, before I recognize Commissioner Odell and Commissioner Murray, I do think that the motion that Commissioner Rivers has made is a good motion from this standpoint is that the County Attorney has said to us this morning that he really can't tell us definitively whether we can restrict it or not, and I think for us to do something we're not even sure, would not be a wise thing to do. So I think Commissioner Rivers's motion is very good basically in the sense that it says that we're going to ask the County Attorney to look at it to see if we can do what we want to do. I think it would be crazy for us to do something and then find out later that the County Attorney rules we can't do it, so I think the motion is a very good motion from that standpoint. Commissioner Odell and then Commissioner Murray.

Commissioner Odell asked, Harold [Yellin], that squares with—, the motion squares with what you are recommending? Mr. Yellin said, yes, sir, it does—.

An unidentified gentleman in the audience interrupted and asked, Mr. Chairman, may I speak as a private citizen before you vote on that motion? Chairman Hair said, certainly. We'll ask—, anybody will have—. The unidentified gentleman in the audience said, it sounds as if you're going to close without it. If you voted on it, and that's why I saying. Commissioner Price said, no, sir. Chairman Hair said, unless someone calls for the question, which I don't think is going to happen, we'll have—, make sure everybody gets a chance to speak to it. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, my question—, I think that Commissioner DeLoach was right in what he was saying and how all this took place in the meeting back in 1996. My question is to staff though. What is y'all's intent as far as this road goes? What is the intent of the construction of this road and what do you plan on doing? County Manager Abolt said, to do exactly what you told us. Not to be flip in my comment—. Commissioner Murray asked, what is that? County Manager Abolt said, in effect, to build a three-laned. Commissioner Murray said, well, I just wanted some clarification on that because, I mean, what's happened with the people that own property on that road, if it's a four-laned park, and if I understand everything correctly, that is just to do the design so if 15 or 20 years down the road it is necessary, they would be able to go back and do that. County Manager Abolt said, yes, sir. Commissioner Murray said, not that we're going to do that right now. We're going to do a three-laned road like we voted to do. County Manager Abolt said, you summarized it so well. Staff was not trying to be disrespectful or disobedient. We were trying to come up with something to provide the most permanent of all choices, and it's as indicated and as you all realize, when Moreland Altobelli was out designing, they were trying to create a situation which would be least offensive to everybody. That was whole intent. Commissioner Murray said, I just don't feel like when the Truman Parkway is completed, if we ever see that time come, and some of the other road improvements that are going in and that whole area are completed, that it's going to take traffic off of that—, off of Stephenson, so I don't think in the long term they're going to need to go to the five-laned or the four lanes with a median, but I understand for doing the design on it right now is to save money on that if in fact it is necessary 15 or 20 years down the road, which is doubtful.

Chairman Hair said, Mr. Yellin, I am going to ask you to wrap it up so we can have time for other people to speak. Mr. Yellin said, yes, sir. Chairman Hair said, if you want to make any final comments so we can—. Mr. Yellin said, just this one final point. I think at the time the motion was passed in 1996 probably no one contemplated, or it wasn't contemplated at the time,

that this would be turned over to the City and that there could be an opportunity for a second design and a second construction. We're all human and this [inaudible] people have focused on that element, and the key word in Commissioner Saussy's motion was in perpetuity. He wanted the shoulders of the road preserved in perpetuity. That does not square with the idea of turning a road over to somebody else and letting them do what they want to do. So that's why I think that the motion by Commissioner Rivers is a good one. Let's see if we can preserve that motion of perpetuity. The answer may be no, but I think we owe it to ourselves to try and be consistent with that initial idea of perpetuity, so we would support the motion.

Chairman Hair recognized Commissioner Price.

Commissioner Price asked, what, Russ [Abolt]—, I don't know if staff has an answer to this—, what has been the additional expense of designing four lanes as mentioned in the County Attorney's memo to you dated August 24th? County Manager Abolt said, I'm looking at a letter from—. Commissioner Price said, at the bottom, last paragraph. It said, "The road has been designed to four-lane standards, having considerable expense". County Manager Abolt said, \$15,000, but I have to tell you because of the life of this project, this is one of the most expensive projects per linear foot of all of our sales tax projects. Commissioner Price said, oh, I know. County Manager Abolt said, it's been designed, redesigned, and redesigned again. Commissioner Price asked, who owns Stephenson Avenue currently? Commissioner DeLoach said, the citizens. Commissioner Price asked, which, the City or the County? County Manager Abolt said, I think that's a good question, sir. It would be in the City. It's a City project—, I mean, a City road. Commissioner Price asked, so how is it we're turned something over to the City that they already own? Commissioner Odell said, we talking about the right-of-way now. County Manager Abolt said, we built—. Commissioner Price said, [inaudible]. County Manager Abolt said, I'll give you an example of a larger scale. The County responsible for building Truman Parkway, right through the City. Many of the—, maybe 65 or more percent of the roads that we build are in the incorporated areas. County Manager Abolt said, so the road right now that currently exists belongs to the City of Savannah? County Manager Abolt said, right-of-way. Chairman Hair said, it's just the right-of-way that we keep. County Manager Abolt said, but we do, as you remember, once a project is over, and usually it's a few years afterwards,, for the purpose of maintenance responsibility and giving it to the right entity, we are about, ala Veteran's Parkway and what have you of once annexation takes place making sure that shortly thereafter that that municipality has the full responsibility for maintenance. Commissioner DeLoach said, as much as we want to do it. County Manager Abolt said, yes, sir. As much as we would like to, we prefer they do the maintenance. Thank you. Commissioner Price said, which Veteran's Parkway currently needs, as a side note, but if we wanted to control this road, really there's nothing we can do. The only thing we're involved in is the right-of-way acquisition right now—. Chairman Hair said, that's correct. Commissioner Price said, using SPLOST dollars, and we'd end up turning it over to the City, will eventually. County Manager Abolt said, as Mr. Hart said, something like that may be—, I think is appropriate discussion—, a topic for discussion in Executive Session.

Chairman Hair said, if anyone would like to speak on the topic, if you would come forward and state your name for the record and, again, I'll ask you to be fairly brief so we can get everybody in.

Mr. Richard Geriner said, Richard Geriner, a taxpayer and property owner at Stephenson and Hodgson Memorial Drive. We're all concerned for progress and with the population and growth. It's inevitable that you've got to accommodate them with facilities and extra traffic accommodations. I submit to you that we'll always have traffic problems, but there's north/south, east/west, and in the final analysis with taxpayers putting up money and spending it, you have to be concerned with the cost benefit standpoint. I'm sure that there were adequate studies done and that they were accurate at the time. I did a study this morning and it's only a representative sample of the specific time and the date, but when I came in at 8:30 this morning, traveling north on Skidaway Road, turning on Eisenhower, there were six cars backed up on the north/south route. Turning left, there were only two cars east/west. Proceeding down Eisenhower I came to Waters Avenue and going down Eisenhower there were only like two cars at any traffic light, and I commend the Commissioners and all the parties involved in constructing a nice east/west artery with all the lanes in the traffic. Once Truman Parkway is completed, I'm confident that Eisenhower would have been a great long range traffic planning idea. At Waters and Stephenson Avenue it was eight cars backed up and—, on north/south, and coming back south, I looked—, which is a single lane, is that there were 12 cars, and turning into Stephenson Avenue I had no trouble at all, only two cars. When I further started going towards the meeting this morning, turning down Habersham Street, there were 12 cars backed up, 12 cars. Clearly a north/south problem. Turning down Abercorn proceeding up to Victory Drive it was 14 deep and the signs are adequately placed that please leave the opening so the people can traverse through 43rd, 44th Street. It appears to me that we all are going to have taxes. I wasn't here on the 30's when they passed the income tax law, but I would have been shocked if someone ever told me that you could eventually have an asset that would be taxed at over 80%. This is true when you look at retirement plan, assets and estate taxes. There have been a couple of letters to the editors. I just glanced at it because we all—, you know, as long as you're employed the unemployment figures don't affect you, but if you're employed [sic], you're real concerned and know all the statistics and I can't remember the exact figures, but it was a property owner that was complaining about the taxes and his went up somewhere 60-some odd percent and he'd worked all these years and retired, and now he's forced on a limited income and may have to move and leave town, and his final comments were, as taxes keep going up and you can't afford it, whoever is the last person in turn [sic], make sure you turn the lights off. I hope we never get to that point. It would appear to me that if we've got tax money, I agree that if Stephenson Avenue were four lanes that there would be some extra traffic there, but if you've only got so many dollars to spend, it seems clear to me and if someone could at least commission a recount or reevaluation with independent people that it would clearly be a north/south problem not an east/west, and that there are adequate arteries now. At least if they are talking about going to the three lanes and the traffic [sic] canopy, and to stay out of property values, but there again talking about the unemployment that doesn't affect you unless you're unemployed, I never received notice that there would be a stake put within two feet of my building, and I will not get into the property values, but when I talked with the negotiators, Moreland Altobelli, and they explained the construction process and were very honest and open and talked about they're only buying up to there for future expansion, but they would have a backhoe and be digging and planting way under the ground, the drainage system and the other construction process, and I looked out there and outlined that there were over 20 trees and shrubs over 10 feet tall, and I won't talk about the offer that I was made, but having—, setting aside the negotiations for that, my first question was, you know, what does it cost to remove a 60-foot tree? Time, money. Once it's removed and then you replant, reforest, reshrub, you've got long term maintenance, and talking about

one specific tree that the construction process would permit boring under that tree to do that work, I said would that be possible? They said we couldn't guarantee it, but we'd try to do it. I'm only one property owner, but there are over 20 trees and shrubs that there would be a tremendous expense. Five of them are over 60 feet tall. The whole forestry and the landscaping and the aesthetic views I would think of the Commissioners and the City and the taxpayers is to have a nice looking completed project. How long—, Stephenson Avenue is one of the oldest south side areas that is just approaching on development. There are pines, oak trees that are probably over a 100, 150 years old. The Park & Tree Commission cannot transplant and make that whole again. I would submit that in the final analysis if whatever construction process has to go through, that someone have an overseeing eye that there's every step that can be practical to save the larger shrubs, trees, forestation, saving taxpayers money for the cost removal, the added cost of replanting something that would not be anywhere adequate. I called a landscaping company to try to get a price for what a 60-foot tree would cost to be replanted and they said, Mr. Geriner, we don't really anyone that can do that with any success; I'm sure somebody could do it, but it would be extremely expensive. So if someone—, if the construction, three lanes or whatever, that forestation and the cover, if that could at least be monitored and watched, it will save taxpayers money. You will end up in my particular property—, if two of those trees came out, I wouldn't want any money for that, you know, compensate for the rest, but aesthetically there's a natural cover there that just the taxpayers, compared to bare ground and land and the long term maintenance cost of that, that just doesn't make much sense. Thank you.

Chairman Hair said, thank you, Mr. Geriner. Thank you very much for your remarks. Anybody else would like to comment?

Mr. Steve Drinkwater said, hi, my name is Steve Drinkwater. I'm the owner of Westside Rental on Stephenson Avenue. I'll try to keep it very brief. I hate to repeat a lot of stuff that he's already said because I agree with everything that he said. In my particular incidence I'd like to let you know that we started looking for property back in '94 and because of some City constraints with zoning we were narrowed down to two pieces of property. One was unusable and then the one that we've got right now is what it turned out to be, but before we bought that we went to the County Engineer's office to ask about how the final design of Stephenson Avenue would look. We were assured that it would be a three-lane road, and the reason why that was reported to us, my attorney, Danny Falligant, and myself went to talk with Mr. Black about it because if there were going to be a median, our business couldn't be located there. So there was an assurance that it would be a three-lane road there. We bought, we built and then 15 months later we find out they're buying for five—, enough for five lanes. I guess our major point is that we're faced with an uncertainty of having to settle with Moreland Altobelli now even though you're going to build three lanes, but we're having to settle for an uncertain future of what we're going to do. We don't know what they're going to do and all indication is that they will put in four lanes eventually, and with all due respect to anyone, you said it would be foolish to do it. If the rumor is true that Eisenhower is going to have a median down the middle of it, that's wasted money too. I mean, so if they're possible there, it will be possible with Stephenson Avenue. I would ask you to reconsider what the original motion was to do just the three lanes and limit the buying to three lanes.

Chairman Hair said, thank you. Anybody else that would like to speak?

Mr. Albert Lufburrow said, Dr. Thomas and gentlemen of the Commission, I'm Albert Lufburrow, and I've been asked to speak on behalf of the 20 property owners in Stephenson Court, which is located between Hodgson and Habersham. I appreciate the opportunity to speak to you all. I would like to say my wife is one of the unit owners. We have never been notified of any County Commission meetings until this one, number one. Number two, Bobby Buttimer, who was the arbitrator to purchase the right-of-way extension, told us that they were now going to build three lanes, but they could later go to five lanes. Now he was talking to the owners of Stephenson Court when this statement was made. I find out today that you plan to have five lanes between Habersham and Hodgson. Let me explain to you what's going to happen to some people. You've got 20 residents—, or more than that because there are more than one in each unit in Stephenson Court. You've got all the children going in and out of Memorial Day School. If you've got a median down the middle through there, these people if they want to go east, they've got to go all the way down to Habersham, make a U-turn, come back to go east. If they want to go west, well, if—, in other words, it—, you've got elderly people, you've got children in cars, you've got car pools and cars, and they're going to have a real problem with this traffic. Now I'm going to make this as brief as I can. My office is on Hodgson. Hodgson is paved 47 feet wide. That's four lanes of traffic. I don't see why a hundred foot right-of-way is necessary even to put in five lanes of traffic. You add another 12 feet, you're talking about less than 60 feet of paving, but, Mr. Price, if you'd like, I do have a copy of what is planned, and they are showing 70 feet of paving. Another point I'd like to make is that Abercorn Street between DeRenne and Stephenson has a 105-foot right-of-way, and you know how it's paved with a 20-foot median and two—, three lanes of traffic. Why do they need a hundred foot right-of-way coming down this street? It makes no sense. Now I'm going to say something that we don't want to hear and we don't want to talk about. Until Waters Avenue was four or five-laned up to Stephenson, this problem on Stephenson didn't exist, but now you've got people taking advantage of those lanes and when they hit that bottleneck at Stephenson Avenue and Waters goes to two lanes, most of them are turning to get to Habersham or Abercorn or White Bluff Road to get on out and you've got the reverse coming the other way. We ought to be here today talking about four—, five-laning Waters Avenue, but we don't want to do it if you've got nice homes in Kensington Park, you've got nice homes in Fairway Oaks and in Oakdale and the other sections. It's understandable. But what I'd like to say to you is let's really study this thing before you make a decision and think about what's going to happen to the people who own property and live out there. What we really need to do—, in 1968 I was on the MPC and I served on the first CUTS Committee, Chatham Urban Transportation Committee. Our number one recommendation to the State, and we worked like the devil to get that thing into the State first before any other County in the State of Georgia. Our number one recommendation was Truman Parkway. Here it is 30 years later, we've got about one-third of it. If we could just get it even to Eisenhower, it would ease this north/south traffic problem, and that's the whole problem. Two other quick points. The City would have the right to come back and condemn later, as Commissioner Rivers said, but, Eddie [DeLoach], if you'll excuse me, it—, the street classification determines the setback of buildings from the street. When we developed Stephenson Court back in 1980, it was a minor collector street. Today maybe you want to call it a secondary arterial, but whatever classification it's given will determine the setbacks of the building and prevent, if you do decide to condemn more in the future, it will be no problem to do it because the buildings will be set back far enough. This should have been done a long time ago and then you wouldn't have some of the problems that you've got today. Gentlemen and Dr. Thomas, thank you very much. I'm sorry to take so much time, but I hope you understand my points.

Chairman Hair said, thank you, Mr. Lufburrow. Thank you, sir. Commissioner DeLoach said, good seeing you, Mr. Lufburrow.

Mr. Rick Grace said, Commissioners, Rick Grace with Uniforms by Patrick. We're a property owner and we represent over 12 employees that if you put more than a three lane it will—, with a raised median, it would impact our business tremendously. There's no cut through for us. It would be completely hard for my customers to get to us. Do the right thing, keep it three lanes. Only buy for three lanes. After all these other arteries are finished, I think that you'll see that the—, Stephenson Avenue will decrease dramatically, and the impact on our four-tenths of a mile, we're talking four-tenths of a mile. Not a mile, not two miles, not three miles. It's four-tenths of a mile. You're impacting this neighborhood tremendously by letting it without guidelines, and, Mr. Rivers, I—, we would like very much for them to just to have the three lanes. Thank you very much.

Chairman Hair said, thank you, Mr. Grace. Okay, we have a motion and a second on the—. Anybody else like to speak? Would anybody—? If you would come forward, sir. Please come forward and state your name for the record before we vote.

Mr. Bob Williams said, I'm Bob Williams. My wife and I own Realty Executives and I guess we're maybe in a unique part of this thing. We're sitting in the area between Habersham and Hodgson, which is going to be probably the hottest spot of the whole area. We were informed yesterday that the area in front of our office, even with the three lanes, is going to be five lanes. There is going to be a turn lane on the outside of the three lanes on each side in that particular area, which throws the construction right-of-way within one foot of our building. There's going to be a four to one drop from the sidewalk, which was going to be eight feet from our building. That is what is planned in that area, so you have no soaking rate for water. We know because we dug out 165 12-yard tandem loads out from under where our building is sitting in order to get solid ground to build on, and that was not a cheap undertaking. So with the sidewalk and the raising of the road something over two feet above the level that the road is at now, we're looking at a two-foot hole, going from zero to eight—, to eight feet wide, going from zero to two feet deep, the two feet deep being against the foundation of our building, which is going to soak water up under our building and it being off ground, that's going to rot out all of the wood structure under our building. We, of course, had intents of that building being a retirement supplement, which we're going to be looking to do in the next very few years. We are sitting on minimum parking spaces. When they cut this area off the front of our building, coming within one foot of our building, they are taking at least a minimum of three parking spaces away from this building. At a future date should we try to lease this building to anyone else to use, then you require a parking space for so many square feet of building space. It won't be there. I guess to make a long story short, what this is going to do with the five lane which the three lanes is going to cause, initially in front of our building, you're putting our building virtually unusable. Our front steps won't exist if they do this. We'll be there with a roadway a foot from our building. It's unfeasible.

Chairman Hair said, thank you, Mr. Williams. Anyone else who would like to speak on this issue before we take a vote?

Commissioner Murray said, I want to make a short comment. Chairman Hair said, Commissioner Murray and then Commissioner DeLoach want to make a brief comment.

Commissioner Murray said, the only thing I want to say is when Mr. Geriner was speaking, he mentioned something about boring instead of digging all these trees and things up, and it makes sense to me because it was very successful on President Street when they did a bore and it was a lot less expensive, if I'm not mistaken. So I would recommend that that's something we look into.

Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, I just want to go over—, the Commission is on record for a three-laned road. So I want to make sure that everybody understands it. We're not looking or advocating anything additional to that. We want to go to the—, have the attorneys look at the possibility of tying this right-of-way to some kind of park—. Chairman Hair said, perpetual easement. Commissioner DeLoach said, perpetual easement and still control the three lanes. Chairman Hair said, that's correct. That's what this motion does. Commissioner DeLoach said, that's what it does.

Chairman Hair asked, any further discussion? Commissioner DeLoach said, call the question. Chairman Hair said, all right, I have a call for the question. All those in favor of the motion vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Odell was not present.] Chairman Hair said, the motion passes. Thank you very much. Thanks to you that spoke and we appreciate you coming today and sharing your ideas with us.

ACTION OF THE BOARD:

Commissioner Rivers moved that staff be instructed to go back, along with Mr. Harold Yellin and do some research on the purchase of additional right-of-way on Stephenson Avenue to determine if we can put in restrictive covenants, and at the same time we need to collaborate with the City of Savannah so they would know what the citizens want as well as what our wishes are. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

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4. DOMESTIC VIOLENCE (COMMISSIONER JACKEL).

Commissioner Jackel said, the other day I was listening to national public radio and they talked about domestic violence, and I think most of you know that I was on the SAFE Shelter Board for seven years and have a strong interest in whatever we can do to reduce domestic violence. They talked about intervention in the workplace and that how that has been successful in certain areas. Two of the companies that they talked about were Kaiser Kamanetti and GAP and one of those, I believe, has prepared a video that can be shown to the management so they can better understand the signs of violence. Some of the signs, of course, are easy to spot: if a woman comes in with blackened bruises and closed eyes or whatever, if she comes in and appears that she's wearing the same clothes two or three days without an opportunity to go home and change. I would

like to look at—, I would like our staff to look into starting one of these programs so we can spot this issue before it happens and hopefully prevent acts of domestic violence. The statistics are just appalling. It's close to one in every three entries into an emergency room are the result of a domestic violence. We worry about our women and somewhat ourselves being out on the street, but the truth is a woman is much safer out on the streets statistically than she is at home. There are so many incidents of domestic violence. Russ [Abolt], that's—, where I'm heading is that we start some sort of project to—. County Manager Abolt said, I might add, Commissioner Jackel, as I know you and the Board are aware, our very ambitious Employee Assistance Program deals much in the area of domestic violence and assisting our employees, both male and female. We will follow up on it.

Chairman Hair said, okay. Thank you, Commissioner Jackel.

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5. CHANGE IN DATE OF HEARING ON WATER SUPPLY OPTIONS (COMMISSIONER MURRAY).

Commissioner Murray said, yes, I was—, had received your memo stating that we were going to move it from this meeting to July—, I mean, September 11th because TSG representatives couldn't be here, but I see them here today. So I'm not sure why all that took place. I probably will not be able to be here on the 11th, and that's why I wanted to recommend we change it to a different date other than the 11th, possibly the last meeting in September. Commissioner Price asked, is there a need to change it? Commissioner Murray said, there is a need to change it if we are not going to discuss it today, and I don't think we should discuss the—. Commissioner DeLoach said, I'll make that motion. Can we do that?

Chairman Hair said, well, you know, before we—, yes, you can do it, Commissioner DeLoach, but before we do, let's—, there's been a number of you that's talked to me before the meeting about the potential of tabling the issue today, before this hearing that Commissioner Murray is talking about, and I have no problem one way or the other whether we do it today or not, but if we are going to table it, let's table it before we have a three hour discussion and then table it at the end. I mean, you know, and then have to hear everything again and have to bring these folks back again. So if we're going to—, I would suggest that we tie this with the other one because I think they are related in a sense of the information. So, Commissioner Price.

Commissioner Murray asked, were you getting ready to make a motion to table? Commissioner Price said, no. Commissioner Murray said, okay.

Commissioner Price said, Frank [Murray], you had said something at one point that you thought why, and I know that it was also ASR Technology, but I thought you said something about you felt like we needed to have a public hearing on the sale of the water system. Commissioner Murray said, that's right. Commissioner Price said, what I would ask is, and this things grown and is getting prolonged like a lot of things do with us, but I would ask that if we have—, if we table this, that we schedule it to the next meeting, that we have it, whenever it is, the 11th or whatever, the public hearing at the same time as well. Chairman Hair said, I think they should be tied together, I agree.

Commissioner Murray said, I think it should be tied together if we're going to do that. If—, I mean, I've said in the past, and I'll say again, I'm not in favor of selling the system because it's not costing this County one dime. It's serving a purpose to a lot of residents that are on that system, but I—, if we're going to table it, fine, let's table it. My main concern was of if we were going to do this on the 11th there's a slim possibility I'll be here, but I want to make sure that I can be here when we do it, and I know I can for the last meeting in September. I guess my other question would be is why did we get a request from TSG and I see sitting in the back of the room, that you couldn't be here today for this, but you are here and that's why it was changed originally and that's why the people were notified we weren't going to do it today.

Chairman Hair said, well, I think that what we need to do is if—, Commissioner Murray I think should be here, and we typically do this as a point of personal privilege if someone has something that's very important, if we, as a courtesy—, exactly. We could—, I don't see—, and, Russ [Abolt], tell me if I'm wrong. I mean, is there any major reason we could not delay this to the second meeting in September? County Manager Abolt said, it's purely your pleasure. This whole—, this whole topic. Chairman Hair asked, there is nothing that would be major that would upset if we do that? County Manager Abolt said, no, sir. Chairman Hair said, I really think that might be the best thing is to do it all at one time. Do the public hearing, the discussions of the water supply option, and the sale, all three at the same time. I think—, because they are very much interrelated, and if we could do all three of those at the second meeting in September, I think that would be appropriate. So—.

Commissioner DeLoach asked, so, you need a motion? Chairman Hair said, I'll entertain a motion to table. Commissioner DeLoach said, I make that motion. Commissioner Thomas said, second. Chairman Hair said, I have a second. Any discussion? All those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Jackel, Murray, Odell, DeLoach and Thomas voted in favor of the motion. Commissioner Price voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Saussy was not present.] Chairman Hair said, the motion passes. Thank you.

ACTION OF THE BOARD:

Commissioner DeLoach moved to that the date for hearing on the water supply options and public input on the water and sewer sale be changed to September 25, 1995. Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Rivers, Jackel, Murray, Odell, DeLoach and Thomas voted in favor of the motion. Commissioner Price voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Saussy was not present.]

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6. REQUEST DIRECTION FROM BOARD REGARDING TIMING OF BUDGET WORKSHOP AND RETREAT PLUS MEETING WITH LEGISLATIVE DELEGATION (RUSS ABOLT).

Chairman Hair said, the staff has—. We've had a request from the staff to give some direction as to the timing of our budget workshop and also at the same time a discussion of our meeting with our Legislative Delegation. Of course, obviously we have to have the workshop, or we should have the workshop first, and we have a request, sort of a standing request from Rep. Mueller, who is the Dean of our Delegation, to meet with them a lot sooner than we did in the past. We've been trying to do this in November, late November or December, so if we—, and we were discussing the potential of doing this at Tybee, and I believe, Russ [Abolt], they've given us two dates at Tybee. What are the dates?

County Manager Abolt said, this is—, no pun intended—, this information is dated based on when we made the inquiry when Mayor Parker was in the room. Back at the end of June we were told that the 2nd and 3rd of September were available. We've submitted that to the Board and one Commissioner cannot be there. In fact, he indicated that from the 1st to the 8th that it would not be possible for his participation. Chairman Hair asked, what's the other—, that's the two dates, the 2nd and—. County Manager Abolt said, yes sir.

Chairman Hair asked, what about the—, for the workshop, something the last week of September, the last full week of September? I know we've got an ACCG meeting that I think starts on the 30th, but something prior to that maybe. If we could give staff, say, to work, say, from the 20th of September, say, to the 27th or 8th of September. Is that something that—, that we could give them sort of a window? The last week, does anybody have any problem with the last week of September for the budget workshops?

Commissioner Thomas said, I won't be able to be here because I'm ordered to court on a matter, personal matter—. Chairman Hair said, okay. Commissioner Thomas said, for a personal injury. Chairman Hair asked, what about the third week of September, would you be available then? Commissioner Thomas said, yes. Commissioner Price said, that's the 21st. Chairman Hair asked, would the third week of September be a problem for anyone? Commissioner Thomas asked, is that the 14th? Chairman Hair said, we're probably talking about during the middle of the week. Commissioner Thomas asked, is that the 14th? Mr. Abolt said, the 21st. Chairman Hair said, the week of the 21st. Is that your—? Commissioner Thomas said, that's the week I have to be in court. Chairman Hair said, you've got to be gone.

Commissioner Murray said, I thought she said the last week. What is that the week—. Commissioner DeLoach asked, the last week, what about the last week? Chairman Hair asked, what about the last week, the 20—, well, the ACCG, if we do it the first part of that week, the ACCG starts on the 30th. I know some of us, I know Commissioner Rivers and myself—, I think I leave on the 30th. If we did it like maybe that Monday possibly. Commissioner Thomas said, the 28th. Chairman Hair said, possibly the 28th. Russ [Abolt], is that—? County Manager Abolt said, that's fine with me. You all at one time talked about marrying this up with the goals session, so it isn't just a budget workshop, and you want to get it off site. The more variables, the more difficult. Certainly a workshop on budget is easy. A goals session, as you know, Mr. Chairman, you conducted one yourself, and they're a little bit more complex.

Chairman Hair said, I think we could probably—, I don't know that we necessarily gain a lot by going to Tybee anyhow. We could do it here, and that makes the logistics a lot easier to the staff if we don't go off site. I mean, we could do it here in the—, I mean, this commission meeting room. I don't know that going to Tybee is going to add a great amount—. Commissioner Price said, come on, let's go to Tybee. I want to go to Tybee. Chairman Hair said, I see the City Manager out there smiling. He probably needs the revenue. Commissioner Saussy said, especially in September. Chairman Hair said, especially in September, yes. That's beginning his slow period. Do you want to try to do it on September 28th? That's a Monday, I believe. Is that not correct? For the—, and, Russ [Abolt], I think we could probably at least begin to make some efforts on a goal-setting, sort of a long range planning. Obviously, we couldn't complete it, but we could probably make some—, maybe spend the first two or three hours doing that and maybe the latter part taking about the budget issues. I think it would have to be an all day meeting probably, or at least most of the day, starting at, say, nine and maybe going until, say, three or something like that. Is that—? Commissioner Price said, remember to bring your bathing suit. Just kidding.

Commissioner Saussy asked, would we'd be through by three? I've got another meeting in Jesup at four. Chairman Hair said, well let's just say three, and we'll—, for planning purposes let's say nine to three would be the time on the 28th. That's a Monday and, Russ [Abolt], could you work—? County Manager Abolt asked, is it going to be off site, sir? Chairman Hair said, well, you want to do it at Tybee, are we going to try to do it at Tybee? Commissioner Odell said, I don't want to do that. I would do it if it had some purpose or value, but I think that logistically is just—. Chairman Hair said, I agree. Commissioner Odell said, more difficult. Chairman Hair said, let's just do it here. Let's just do it—, Commissioner Price is the only one that wants to go to the beach right now. I'm sorry—. Commissioner DeLoach said, he said he's going to go ahead and bring his bathing suit anyway. Chairman Hair said, Ben [Price], we're going to finish at three if you want to go to the beach after that you're welcome to do that. Commissioner Price said, I'll go out to Forsyth Fountain if I have to.

Chairman Hair said, okay, so nine to three on Monday, September 28th, would be—, and we'll make sure that—, Russ [Abolt], make sure that all the media is notified and all that sort of thing, all the logistics are done, and we'll do it here in the commission meeting room. Then let's say that if we could set something up with the Legislative Delegation, maybe the second week of October. How about that? Does that—, some time in that to give him some time? The second week of October? Commissioner Odell said, second week of October—. Chairman Hair said, for the meeting with the Legislative Delegation. Commissioner Odell said, right, we have a CAT national meeting in New York, which some of the—. Chairman Hair said, that would be from the 1st through the 7th, you're right. Well, we're talking the second week. Commissioner Saussy asked, how about the 12th? Chairman Hair said, that's over the 7th. County Manager Abolt said, the week of the 12th. Chairman Hair said, week of the 12th, how about the week of the 12th for the Legislative—, is that okay? All right, so, Russ [Abolt], the week of the 12th of October for the meeting with the Delegation. If you could contact Rep. Mueller and find out if that is suitable with her, and I don't think it makes any difference to us—, does it make any difference to y'all if it's lunch or breakfast or whatever? I mean, does anybody have any preference for that? That gives the County Manager some flexibility.

So either one, Russ [Abolt], maybe try to do a breakfast or a lunch with the Delegation. Chairman Hair asked, and can we have the items that we submitted last year for their consideration rather than starting anew? If we could have those beforehand, and the talking points that we had on those. Chairman Hair said, that's a good point. Did you get that, Russ [Abolt]? County Manager Abolt said, yes, sir.

Chairman Hair said, okay, so that sets—, that gives the staff some direction on the goals setting and the budget workshop and also the meeting with the Delegation.

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VIII. TABLED/POSTPONED ITEMS

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

- * 1. **REQUEST FROM FREEMAN & VAUGHN, ENGINEER FOR EAGLE DEVELOPMENT CORPORATION, TO RELEASE THE SUBDIVISION BOND FOR LAURELWOOD PLANTATION, ACCEPT THE RIGHT-OF-WAY AND EASEMENT DEDICATIONS AND ACCEPT THE PAVING AND DRAINAGE IMPROVEMENTS FOR COUNTY MAINTENANCE. (This has been the subject of calls to members of the Board regarding the condition of a neighborhood lagoon. The County Engineer recommends acceptance.) NOTE: See attached request from resident requesting that item be postponed. This item was tabled at the meeting of August 14, 1998. [DISTRICT 7.]**

Chairman Hair said, we have the tabled item that was tabled to this meeting on the Laurelwood Plantation Subdivision bond. Does anyone like to take that off of the table? [NOTE: No response was made.] Chairman Hair said, okay, we will leave it on the table. I will say this, however, I think it—, maybe at our next meeting we need to take it off and vote it up or down one way or the other. I think just to leave it on the table is not going to be good, and so I would request, respectfully request that at the next meeting—, I'll prepare all the Commissioners, at the next meeting let's go ahead and take it off the table and vote it up or down and not just leave it on there in perpetuity. So we will deal with that at the next meeting.

ACTION OF THE BOARD:

This item was not placed before the Commissioners for consideration.

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IX. ITEMS FOR INDIVIDUAL ACTION

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

- 1. **REQUEST BOARD APPROVE THE FOLLOWING: A GENERAL FUND M&O BUDGET AMENDMENT OF \$1,041,030 TO RECOGNIZE INCREASE IN PROPERTY TAX REVENUES AND TO APPROPRIATE THAT AMOUNT TO RESTRICTED CONTINGENCY; A SPECIAL SERVICE DISTRICT FUND BUDGET AMENDMENT OF \$279,760 TO RECOGNIZE INCREASE IN PROPERTY TAX REVENUES AND TO APPROPRIATE THAT AMOUNT TO RESTRICTED CONTINGENCY AND AN INTRA-DEPARTMENTAL TRANSFER WITHIN THE POLICE DEPARTMENT OF \$2,500 FOR AN ADDITIONAL SCHOOL CROSSING GUARD; A CHATHAM AREA TRANSIT DISTRICT FUND BUDGET AMENDMENT OF \$208,500 TO RECOGNIZE INCREASES IN PROPERTY TAX REVENUES AND TO APPROPRIATE THAT AMOUNT TO CAT AUTHORITY; A CAPITAL IMPROVEMENT FUND/M&O CONTINGENCY TRANSFER OF \$12,000 TO FINANCE DEPARTMENT FOR REPLACEMENT OF A LINE PRINTER AND \$20,000 TO BUILDING MAINTENANCE AND OPERATIONS FOR UNDERGROUND STORAGE TANK CLOSURE AT THE OLD COURTHOUSE; ONE PERCENT SALES TAX EXTENSION FUND (1993-1998) OF \$609,980 FROM RESERVE FOR UNINCORPORATED ROADS TO CENTRAL AVENUE (EAST), SMITH DRIVE, CHEROKEE AVENUE AND SAUSSY AVENUE PROJECTS; TRADE CENTER RECONCILIATION AS FOLLOWS: ONE PERCENT SALES TAX ROAD PROGRAM FUND (1985-1993) TRANSFER OF \$9,500,000 FROM U.S. 80 INTERCHANGE TO THE HUTCHINSON ISLAND INTERCHANGE, \$1,000,000 TRANSFER FROM CONTINGENCY TO HUTCHINSON ISLAND INTERCHANGE FOR TRADE CENTER ROADS AND \$3,300,000 FROM CONTINGENCY TO HUTCHINSON ISLAND INTERCHANGE FOR RIVERWALK PROJECT; A ONE PERCENT**

SALES TAX EXTENSION FUND (1993-1998) TRANSFER OF \$1,557,200 FROM RESERVE FOR ROADS TO HUTCHINSON ISLAND INTERCHANGE FOR UTILITY RELOCATION.

Chairman Hair said, I'm going to read the entire Item #1, but then I'm going to make a request that we table a portion of this, but I'm going to read the entire item first. [NOTE: Chairman Hair then read Item #1.]

Chairman Hair said, I had some real questions about the Trade Center reconciliation, the \$9.5 million, and we still have some unanswered questions. I met with the staff this morning, Mr. Monahan and the County Manager, and they have told me that it would not cause them any problems if we delayed that until the second meeting in September. I think we've got a lot of unanswered questions there. So I'm going to suggest that we—, I'll entertain a motion to approve the balance with the exception of the Trade Center reconciliation down to the Riverwalk Project. We will leave in the one percent sales tax for the utility relocation, and we table that portion until the second meeting in September. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I had some questions about the same amount, but you're talking about leaving which part in? Chairman Hair said, just the last sentence that deals with the utility relocation. That's really not part of that. Commissioner Murray said, I move we approve everything else. Chairman Hair said, okay, we have—. Commissioner Odell said, I'll second. Commissioner Rivers said, second. Chairman Hair said, we have a motion and a second to approve everything except that section. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

Chairman Hair said, and then we will need an official motion to table that portion of the—. Commissioner Murray said, I've got a question before we do that. Chairman Hair said, okay, certainly. Chairman Hair recognized Commissioner Murray.

Commissioner Murray asked, the \$9.5 million from U.S. 80 Interchange, where is that? County Manager Abolt said, yes, sir, that's the flyover. Chairman Hair said, that's the flyover at Johnny Mercer. Commissioner Murray asked, well, how are we moving the money out when we haven't deemed that project infeasible? Chairman Hair said, that's my question. Commissioner Murray said, we were told when I wanted to do that originally that we couldn't do that. County Manager Abolt said, you've got to declare the project infeasible—. Commissioner Murray said, but you're moving the funds out of it. County Manager Abolt said, yes, sir. Chairman Hair said, that's correct, and that's my problem. Commissioner Murray said, and I have a problem moving the funds out of something that was down in that area when I specifically asked for that money to be used on some of these road improvements and some of these studies we were doing down there. Now we're asking to move the whole part over, I'm—. County Manager Abolt said, no, no.

Chairman Hair said, there's a lot of problems with this. County Manager Abolt said, if I may, just—. Chairman Hair said, that's why we need to just table. Commissioner Murray said, it's not infeasible, but you're taking the funds away from it, so we can't do it. I don't think we need to do it anyway. Chairman Hair said, that's correct. Commissioner Murray said, but I have some problems with the way this is being done. Chairman Hair said, I do too, that's why we need to—, we need that 30 days to get—. County Manager Abolt said, I'll be glad to answer Commissioner Murray's question at a later date. Chairman Hair said, yes, well, let's—, yes, let's—, since we're going to table it—, let's table that section. Commissioner Rivers said, I'll move to table it. Commissioner Murray said, second. Commissioner Rivers said, I'll move to table. Commissioner Odell said, I'll second. Chairman Hair said, all right, all those in favor of tabling it vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you.

ACTION OF THE BOARD:

1. Commissioner Murray moved to approve the following: A General Fund M&O Budget Amendment of \$1,041,030 to recognize increase in Property Tax revenues and to appropriate that amount to Restricted Contingency; a Special Service District Fund Budget Amendment of \$279,760 to recognize increase in Property Tax revenues and to appropriate that amount to Restricted Contingency and an intra-departmental transfer within the Police Department of \$2,500 for an additional School Crossing Guard; a Chatham Area Transit District Fund Budget Amendment of \$208,500 to recognize increases in Property Tax revenues and to appropriate that amount to CAT Authority; a Capital Improvement Fund/M&O Contingency transfer of \$12,000 to Finance Department for replacement of a line printer and \$20,000 to Building Maintenance and Operations for underground storage tank closure at the Old Courthouse; One Percent Sales Tax Extension Fund (1993-1998) of \$609,980 from Reserve for Unincorporated Roads to Central Avenue (East), Smith Drive, Cherokee Avenue and Saussy Avenue Projects; and a One Percent Sales Tax Extension Fund (1993-1998) transfer of \$1,557,200 from Reserve for Roads to Hutchinson Island Interchange for utility relocation. Commissioners Rivers and Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]
2. Commissioner Rivers moved to table to the next meeting the request to approve a Trade Center reconciliation as follows: A One Percent Sales Tax Road Program Fund (1985-1993) transfer of \$9,500,000 from U.S. 80 Interchange to the Hutchinson Island Interchange, \$1,000,000 transfer from Contingency to Hutchinson Island Interchange for Trade Center Roads and \$3,300,000 from Contingency to Hutchinson Island Interchange for Riverwalk Project. Commissioners Murray and Odell seconded the motion and it carried unanimously.

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2. **BOARD CONSIDERATION OF REQUEST FROM THE 603D AVIATION SUPPORT BATTALION AT HUNTER ARMY AIRFIELD FOR WAIVER OF \$100 FEE TO USE LAKE MAYER PAVILION FOR THEIR COMPANY ORGANIZATIONAL DAY.**

Chairman Hair said, the Chair will entertain a motion. Commissioner Price said, so moved. Commissioner Odell said, second. Chairman Hair said, I have a motion and I have a second. Any discussion? All those in favor—. Commissioner DeLoach said, my recommendation is we let Frank [Murray] pay for it. Commissioner Price said, somebody's got to second the motion. Chairman Hair said, we have a second. Frank [Murray] has a—.

Commissioner Murray said, I've got a question. In other words, they asked us to waiver [sic] the \$100 fee. Chairman Hair said, that's correct. Commissioner Murray asked, why would we want to do that? Commissioner DeLoach said, I think we do it on all of them now? Commissioner Murray said, I paid \$100 to use it one time. I didn't ask to have a waiver made on it. County Manager Abolt said, that's the issue. Chairman Hair said, well, maybe you should have. Commissioner Price asked, what was the organization? Commissioner Murray said, I wouldn't because of the position I hold here. Commissioner Price asked, what was the organization? Commissioner Murray said, it was a political thing. Commissioner Price said, oh. Chairman Hair said, well, I think that's different. I really do. I think that's different than the military. Commissioner Price said, this is our military. We support our military. Chairman Hair said, all right. We have a motion—. Commissioner Murray said, so do I, but this doesn't mean you're not supporting them when you—. Well, okay.

Chairman Hair said, we have a motion and a second. All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Odell, Price, DeLoach and Thomas voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of eight to one. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Price moved to approve a request from the 603D Aviation Support Battalion at Hunter Army Airfield for waiver of \$100 fee to use Lake Mayer pavilion for their Company Organizational Day. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Odell, Price, DeLoach and Thomas voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of eight to one.

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3. ANNOUNCEMENT IN COOPERATION WITH ADM IN PLANT EXPANSION.

Chairman Hair said, we now have a very important announcement in cooperation with the ADM plant expansion. We have representatives, we have Mr. Cribbs here, who is the plant manager. I'm going to ask, Russ [Abolt], that you begin to introduce it and then ask Mr. Cribbs to say whatever he wants to say or anybody else you want to bring up.

County Manager Abolt said, thank you, Mr. Chairman. As the entire Board knows, we have been working very actively with ADM to facilitate their expansion at the Industrial Park off of U.S. 80 and in an area of the County which is booming from the standpoint of basic sector jobs. Our negotiations to date have resulted from what we believe to be a successful proposal. We're asking you to approve it today. It is our understanding it would permit the ADM to announce and complete their expansion plans in quick order. Essentially, we're looking at providing sufficient water for their current and future expansion needs. We're also looking at paving a portion of their roadway referred to as Eli Whitney Boulevard and using funding from SPLOST to do that, and, finally, we're dealing with an issue of drainage right-of-way and access which will be conducive to the development plans of ADM. Mr. Chairman, at the risk of sounding self-serving, I want to compliment the Board for again being very pro-active in economic development and making a project of this quality happen in Chatham County.

Commissioner Rivers said, so move for approval. Commissioners DeLoach and Thomas said, second. Chairman Hair said, we have a motion and second. I would just like to say before we vote that I have worked on this project as well and met with Mr. Cribbs on numerous occasions, and this really and truly has been a team effort. This also involved the City of Pooler, it involved the Economic Development Authority. There are a number of players in this, and I think the public should be very proud that once again we all worked together for the benefit of economic development in this community, and we are very pleased that this expansion is going to take place in Chatham County as a result of our actions. All those in favor vote yes, opposed vote no, and we'll give Mr. Cribbs—. The motion carried unanimously. Chairman Hair said, Mr. Cribbs, would you like to say anything now that you've got your development agreement and everything? You've got your road.

Mr. Dwight Cribbs said, well, I'd like to thank a lot of people, and I know I'm going to miss some people, but Russ Abolt, Al Bungard, who did a lot of work, and, like I said, many of you. We appreciate it. A lot of hard work and a lot of details in it, but ADM will proceed with the expansion. We're going to actually increase, buy some land from SEDA, so SEDA was a very important part of this, and we appreciate all the help. It's a pretty major expansion and we're going to increase our warehouse and manufacturing space by 122,000 square feet. So, it'll be fun.

Chairman Hair said, thank you very much, Mr. Cribbs. Mr. Cribbs said, thank you. Chairman Hair said, we look forward—. Commissioner Price said, supermarket to the world. Commissioner Rivers said, I could take [inaudible] it home.

ACTION OF THE BOARD:

Commissioner Rivers moved that the Board commit to partnering with the Cities of Pooler and Savannah to insure that sufficient water is available for the Archer Daniel Midland Cocoa Savannah (ADM Cocoa) facility expansion in the Savannah Port Authority (SPA) Industrial Park, declare the 60-foot drainage right-of-way surplus (subject to the construction of new drainage ditches), approve the exchange of the surplus drainage right-of-way for the road right-of-way through Lot 40, approve constructing an extension to Eli Whitney Boulevard, and approve a transfer of \$240,000 from 1985-1993 SPLOST, Contingency. Commissioners DeLoach and Thomas seconded the motion and it carried unanimously.

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4. DISPOSITION OF WATER AND SEWER SALE. NOTE: On the 8th of May the Board acknowledged further public input would come at a time when they would be discussing whether or not to accept bids on the disposition.

Chairman Hair said, this item has already been tabled, which is disposition of water and sewer, to the second meeting in September. (See Item VII-5.)

ACTION OF THE BOARD:

This item was tabled to the second meeting in September.

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5. BOARD CONSIDERATION OF A RESOLUTION IN SUPPORT OF HARBOR DEEPENING. ALSO ATTACHED IS LISTING OF INDIVIDUALS AND GROUPS TO BE INVITED.

Chairman Hair said, I think it probably would be appropriate first to have—, is Jamie McCurry here? He's supposed to be the spokesman. There's Jamie [McCurry]. We'll have him give a brief presentation on what this resolution does or does not do and then if any Commissioners have any questions, we'll be glad to deal with those. Chairman Hair recognized Mr. McCurry.

Mr. Jamie McCurry said, well, I'd just like to speak to the merits of the project, if I may. The resolution, I know, is y'all's words, so I don't want to get into that, but I do want to thank you for the opportunity to come here. As you know, the port of Savannah is a vital economic entity for our local, state and national economies, generating to the tune—, annual economic impacts to the tune of 67,636 jobs, \$1.5 billion in wages, \$19.5 billion in revenue, and \$496 million in state and local taxes, of which 84% of this impact is produced by container traffic. However, a current problem exists wherein 52% of the container ships that called on the port of Savannah in 1996 were operationally constrained, meaning they either had to light-load, load-lessening capacity or wait for high tide to come in. Those constrained vessels are any vessels operating a draft of 38 feet or greater, and in the future, because of increased trade with major partners, due draft calls to Savannah of those constrained vessels will increase by over 445%. With this increase in deep draft ships, a harbor deepening project would produce four to six percent annual growth in container traffic, between 2,000 and 2,050 with containers which are measured in TEU's of 20-foot equivalent units. The capacity of containers handled in Savannah going—, increasing from about 730,000 containers this year to approximately 6,000,000 TEU's in 2050. Ultimately, the harbor deepening results in a benefit versus costs ratio of three to one, but we are also recog—, we do also recognize that there are a number of environmental and cultural concerns surrounding a harbor deepening project, which we are addressing. Some of the most commonly mentioned concerns are structural integrity of Fort Jackson, to which we have indicated potentially spend up to \$1.26 million for a protective wall—. Rather, that will be spend in the deepening project. As far as the CSS Georgia, which is a sunken Confederate ironclad that's directly across the harbor from Fort Jackson, \$13.08 million will be spent to recover, document and curate that ship as far as potential impacts on the dissolved oxygen content in the river or the level of chlorides in the river. There has been allocations made for up to \$70 million to mitigate for those potential impacts, with \$24 million for potential mitigation for dissolved oxygen, and \$46 million for, if necessary, movement of the water plant—, City water plant intake at—, up the river there. I can't remember the name of the location. However, probably the most significant item to mention is that what is now before Congress is a Tier I EIS, which requires further extensive evaluations regarding potential environmental impacts and the determination of how to most effectively avoid, minimize or mitigate for those impacts, and the project requires the adoption of a more thorough Tier II EIS prior to construction with—, anticipate a construction dates being around the Fall of 2001 or 2002. That Tier II EIS will be the end result of a process that will involve a lot of stakeholders along the river, whereas when this study performed leading up to that Tier II EIS involved discussions and determination amongst the group to a consensus of what those—, the scope of those studies must be, and that consensus must exist before we can conduct the studies, and once the studies are conducted there has to be a consensus met as to what mitigation and implementation plan is ultimately put into action. So all that has to be conducted before construction, and at this point we're just at a point where Congress is going to be voting on whether or not we can go forward with the design to pay for this project, and again I applaud your consideration of this resolution and your concern about the continued viability of the port of Savannah. I'll be able to answer any questions as they are raised.

Chairman Hair said, I've got the first one. Mr. McCurry said, okay. Chairman Hair said, address the concerns that—, I see Dr. Farmer here—, that Tybee has about beach renourishment and effect on the beach. Mr. McCurry said, yes, sir. We—, the project looks at what is called least cost scenarios for disposal of dredged material. In the case of Tybee, there is or seems to be potential useful sand in the river that could be put on the beach. If that is the least cost scenario, that would be involved as part of the project. If it does not, there is the opportunity for the incremental difference in cost to be provided by someone other than the federal government so that that renourishment could occur. Chairman Hair said, okay. Anybody—, Commissioner Price.

Commissioner Price said, I think Frank [Murray] and Martin [Jackel] had their hands up first. Chairman Hair said, okay. That's all right, we'll—. Everybody will get a chance to speak. Go ahead and start. Commissioner Price said, okay. Jamie [McCurry], is the—, you've seen the resolution, the way it reads. Mr. McCurry said, yes, sir. Commissioner Price said, okay. The last part of it says: Now, therefore, the Board of Commissioners of Chatham County does hereby endorse and request the U.S. Army Corps of Engineers to proceed with [the] deepening [of] the Savannah harbor to the depth of 48 feet. How critical is it for us to have in the resolution "to the depth of 48 feet"? I know right now that you're going through a process with the stakeholders' interest and—, is it a critical point for us to include that or is it something that, in working with the stakeholders, that it may be worded any differently, it would work just as well? Mr. McCurry said, I believe that the way it's stated in the EIS is that it will measure depths up to 40—, from 42 up to 48 feet, and so something—, language of that type is certainly adequate. I wouldn't have any problem with that. Commissioner Price said, so—, I think that that's one of the points of contention that those who may be in the meeting today might oppose. The reason why they might oppose this

resolution. What I'm looking for is a common ground in which, you know, it will work for both. Mr. McCurry said, right. Commissioner Price said, because I understand that you are working with the stakeholders and that y'all are making progress and you're getting ready to go to the second tier, and I—, I don't want to see this be brought about that's going to cause any difficulties in the process you've already got in place. Mr. McCurry said, absolutely. I couldn't agree with you more there. I think that, like I said, that—, in fact, I'm looking at a portion of the feasibility study report and it says the Tier II Environmental Impact Statement supporting the potential engineering and economic feasibility of the channel up to 48 feet deep, and something of that nature is certainly—. It depends on how y'all want to say it, but we're not locked in at 48 feet being the depth. Commissioner Price said, okay. I would ask that we amend the resolution to include that language. Commissioner Saussy said, up to—. Commissioner Jackel said, it's premature.

Chairman Hair said, let's do that at the moment that we made the motion on the resolution. Commissioner Price said, okay. Chairman Hair said, I think we can do it at that time. Otherwise, you know, I think that would be the most appropriate. Commissioner Price said, okay.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel asked, what's the cost of this project? Mr. McCurry asked, sir? Commissioner Jackel asked, what is the cost of the projected cost of the project? Mr. McCurry said, let me look at it so I don't quote you a wrong number. The recommended plan has a total project cost of \$228,517,000 with a federal cost of \$143,061,195 and a non-federal cost of \$85,455,805. Commissioner Jackel said, I have some real concerns about this. Now correct me if I'm wrong here. It's my understanding that Port Everglades has a depth of 44 feet, and we compete against them, but Miami is only 38 feet, Jacksonville's 38 feet, and Charleston's already—, is only 40. Commissioner Saussy said, Charleston's more than that. Commissioner Price said, Charleston's more than that. Mr. McCurry said, Charleston is presently 40 with an authorized construction underway moving to 45. Commissioner Jackel said, so they're at 40 and they're going to 45. Mr. McCurry said, yes, sir. Commissioner Jackel said, all right. What concerns me about this is you say there's money spent to lower it because there's going to be lower dissolved oxygen. That seems like that's a pretty serious problem that's going to create. We're going to have to try and fix that and spending some \$24 million. Mr. McCurry said, there's a potential for that to happen. We—, depending on what depth is ultimately the final construction, it will also, obviously determine the amount of impact on any of the environmental constituents, if you will, to the project. As far as dissolved oxygen, it's estimated that [inaudible] decrease could occur, and to that extent the \$24 million in mitigation costs that are a line item in the project are for one potential means of mitigating that. The greatest cost scenario is where that [inaudible]. Commissioner Jackel said, I'm also very concerned about the threat to the Savannah National Wildlife. Mr. McCurry said, they—, the U. S. Fish and Wildlife Service will be a part of the stakeholder evaluation group, an integral part, along with many other resource agencies and local concerns, and we're working with them and have been working with them to make sure that their concerns are adequately addressed throughout the process. Again, we're not at a point today of being on the verge of construction and can't get to a point of construction until we have resolved with a consensus of these different agencies the scope and mitigation necessary. Commissioner Jackel asked, and you say there's going to be \$1.6 million spent for Fort Jackson, to protect it? Mr. McCurry said, I think it's—. Chairman Hair said, it's more than that, I think. Commissioner Jackel said, \$1.6 was the figure I wrote down. Mr. McCurry said, let me find my—, it's \$1.264 million. Commissioner Jackel said, I'm sorry. Mr. McCurry said, it's 1.264 to build a protective structure around the Fort. Commissioner Jackel asked, what went wrong last time? When the harbor was deepened. Fort Jackson now has all these problems for the deepening. There were Environmental Impact Studies done to everything. What was the mistake that was made last time that's led to the present problems at Fort Jackson. Mr. McCurry said, I'm not sure that I could comment to any mistake has been in that regard the last time. I'm not familiar enough with that—. Commissioner Jackel said, if we don't know what mistakes we made in the past, how do we know we're not going to repeat those mistakes? Mr. McCurry said, I don't know that any mistakes were made in the past, but—. Commissioner Jackel asked, do you know if there are any problems at Fort Jackson? Mr. McCurry said, there is erosion at Fort Jackson, the river obviously being one of the components thereof and the flow of water up and down the river. Because of the location, Fort Jackson has a unique erosion concern there. The protective wall will eliminate that concern. In the past that was not, to my understanding, part of the project, so this—, in this regard, we are putting in a structure that would eliminate the potential effects of erosion as a result of the river at that Fort. It was—, it further—. I'm not an expert on Fort Jackson. It's my understanding that the thing is in danger as it is now, and this is a vehicle for them to have further support there that they wouldn't have otherwise. Commissioner Jackel said, what my concern is, everybody knew about Fort Jackson and we deepened the river, and it has sustained substantial damage, and if something isn't done, we're in danger of losing that. Fort Jackson, a facility, and now we're told, well, we can come in and we can spend over a million dollars and everything will be saved. I'm not sure that that is so. What we're saying is, is we hope that'll work. We don't—, I don't know definitively whether that will work. Mr. McCurry said, all you can do is study the river system and the effects of the environment on a structure like that, and do what you in your best knowledge and with experts evaluating it understand to be the answer. This is understood to be the answer to that problem.

Commissioner Saussy said, in fact, what they're doing is they're putting a [inaudible]. Commissioner Jackel said, I understand what they want to do, but what I just want to point is here is that when they did this last time, there were miscalculations done otherwise we wouldn't be in the shape we are in, and it's possible they might not be doing the right thing in the future. We have also spent—. Chairman Hair said, it's also possible we might be doing the right thing. Commissioner Jackel said, well, okay. We have got—, we're spending and have spent millions of dollars trying—, in this striped bass fishery, and I'm afraid that we're going to mess up what we've—, where we are now, take some steps back. You didn't talk about that at all. The effect of the harbor deepening on the striped bass fishery. Mr. McCurry said, the—, it's my understanding the ongoing study looking at the striped bass issue will not in any way be precluded by this harbor deepening project, and that that study will continue to go on and that if there's mitigation that's necessary as a result of this project, then that will be a part of the construction project. Commissioner Jackel said, all right, and the same thing, I suppose is true, about the endangered short-nosed sturgeon habitat? Mr. McCurry said, yes, sir. That's—, there's a significant amount of money being place into studies to identify what exactly their habitat is, what they like to do, where they like to live, and the possibility, if necessary, of moving that habitat to another—, to provide a more adequate habitat for them in some of the locations than what is understood to be where they live now. I think that you might have people say they're not even sure there's any there. Commissioner Jackel said, all right, and there's also some sort of possible problem with the Florida Aquifer, that there's a ridge that goes through

there. As we lower down, we might be scraping on top of the ridge. Mr. McCurry said, this—, the project will in no way endanger the Floridian Aquifer. Commissioner Jackel said, now, there are people at Tybee—. Commissioner DeLoach said, —pump in there so you won't have that problem. Commissioner Jackel said, right. The extra water will keep that out, right. All right. People have told me that their concern with Tybee Beach, that the extra flow of water is going to actually cause additional erosion of Tybee Beach, and that's planned for too. Mr. McCurry said, well, the—, like I said, the analysis as far as environmental impact to the project are all part of the ongoing work in the design phase. The potential for doing beach renourishment at Tybee as a part of this project is also —, we'll deal with that as we move forward with the project. Commissioner Jackel said, all right, let me just quickly summarize here some of my concerns. Commissioner DeLoach said, wait a minute. Quickly? Commissioner Jackel said, right, right. All right, we're talking about—. Commissioner Price said, don't stop him. Commissioner Jackel said, I'm concerned about Savannah's National Wildlife Refuge and you're telling me everything's going to be done and it's going to be okay there. The trouble with our striped bass fishery, it's going to be okay there. The short-nosed sturgeon or the Florida Aquifer, Tybee Beach, Fort Jackson, all these things are going to be taken care of if we do this. Commissioner DeLoach said, 10-4. Mr. McCurry said, what I'm saying is that there's a stakeholders' evaluation group that necessarily has to be part of the ongoing work with this project. That stakeholders' evaluation group will determine—, come to a consensus as to what studies have to be conducted in the design phase and the scope of those studies and analyzing potential impacts. Once those studies are conducted, a mitigation plan will be developed that will adequately address those concerns, and there has to be a consensus again among these same agencies and interest groups as to whether or not that is a valid mitigation plan, and if that consensus is not developed, then the project cannot be constructed.

Commissioner Jackel said, all right, now we're planning on spending somewhere close to a half billion dollars. How much—? Mr. McCurry asked, a half a billion dollars? No, sir. Less than a quarter of a billion. Chairman Hair said, no, 224 or something like that. Commissioner Jackel said, wait a minute. There are three types of mathematicians: those that can count and those that can't, and I've explained that to you before. If you take 228 and you take a 143 and you add 85 million, I get we're pretty close to a half billion dollars. Mr. McCurry said, that's incorrect, sir. The [inaudible]. Commissioner DeLoach said, that's a lawyer figuring. That's a lawyer figuring. Chairman Hair said, that's a breakdown of the 228. Commissioner DeLoach said, that's a Martin [Jackel] problem. That's right. Commissioner Jackel said, wait a minute. And he gave me the figures. Mr. McCurry said, I sure did and maybe I need to clarify. Commissioner DeLoach said, you've got to run [inaudible]. Chairman Hair said, you have a breakdown of the—. Mr. McCurry said, \$228,517,000 is the total project cost of which there is—. Commissioner Jackel said, all right. Mr. McCurry said, those other numbers are the federal and state contributions. Commissioner DeLoach said, we've got it now. Chairman Hair asked, which one of those mathematicians are you? Commissioner Jackel said, I'm the third one. Chairman Hair said, okay. I just wanted to clarify for the record.

Commissioner Jackel said, all right, so we have a quarter of a billion dollars on this project. How many ships of that new size are we going to have to deal with to come anywhere close to seeing that sort of a month? Mr. McCurry said, the—. Commissioner Jackel said, plus your ongoing maintenance of the additional depth. Mr. McCurry said, in 2000—, in the year 2000 there will be 859 container vessels in the world that draft greater than 38 feet. By 2050 there will be 2,723 of those similar ships. As far as what is projected to call at Savannah, it varies obviously as you get between today and 2050. Right now we're dealing with a situation of where over 50% of the container ships are already constructed, and that is a current problem, and then you have to also look at the need to address the future concerns as these ships get larger and essentially increase in number by more than three times. Commissioner Jackel said, well, you're talking about over 38, but we're already at 42. Mr. McCurry said, the reason I say at 38 is because with a 42-foot channel you have to have four feet of [inaudible] clearance between the bottom of the ship and the channel. I said 38—, a ship drafting 38 feet is the maximum that can transit the channel without a delay or a light-load restriction. Commissioner Jackel asked, what percentage of those 2000 ships would that be of the fleet? Mr. McCurry asked, calling at Savannah? Commissioner Jackel said, no. Were you talking about just being built, so it's actually percentage of the whole available fleet. Mr. McCurry said, but that would be calling Savannah. Is that what you're asking, how many—? I don't have that number in front of me right now. I could get back with you on that. Commissioner Jackel said, that's all the questions I have at this time.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, first of all, I'd just like to say that I think the Commission as a whole supports what the ports are doing and what they've done in the past based on the economy of this whole County, but I do have some questions. First of all, I think the resolution from the Commission is premature. I don't think we need to be doing it right now. I think we need to wait until it goes further through some other processes. The other question I have, back when it was done—, moved from 36 feet to 42 feet y'all did some models on how that was supposed to and the effects and everything. What percentages were those models off? Mr. McCurry asked, what percentages were the models off? I don't know if that's a measure—. Commissioner Murray said, I understand it was somewhere around a hundred percent. Mr. Charles Griffin said, if I may approach and [inaudible] your question. There were a number of models we're talking about—. Commissioner Murray said, that's right, and when you went to 36—. Mr. Griffin asked, what model are we talking about? Commissioner Murray asked, when you went from 36 feet to 42 feet, you did the models in the process of that to show—. Mr. Griffin asked, the environmental models or ship simulation models, sir? Which one? Commissioner Murray said, ships. Mr. Griffin said ship simulations, okay. The ships will be—. If I may answer the question this way. Ship simulation modeling is done in the design phase. That's the phase that we're entering into now. That design phase will then determine whether there's any adjustment to the channel, the federal channel, as it currently exists. So there will be brand new modeling. That's the answer to the question. We have no—. Commissioner Murray said, that's not my question. Mr. Griffin said, no recognition that—, we have no evidence that the modeling that was done before as far as how a ship operates, that's ship simulation. How a ship operates in the channel and how we adjusted, bend wideners and those things we have no indication that those models were incorrect in any way. Commissioner Murray asked, but what about your other models? Mr. Griffin said, the—. Are you talking about environmental modeling? Commissioner Murray said, right. Mr. Griffin said, okay. Environmental modeling, there was limited environmental modeling done by the Corps of Engineers at that time because it was a Corps of Engineers project at that time. There's a difference in this one. It was determined that certain characteristics of the salinity, certain movement of the salinity would occur and there would be beneficial effects as a result of removal of the tidegate system that is out there—, was out there at the time. There was some beneficial benefits of removing the tidegate. Probably not is what folks

would think they should have been, and I won't dispute that. There's--, significant modeling has already been done for the harbor deepening here, which created an EIS, an environmental impact statement. The reason to go to the second tier, they want to do more modeling. What is this modeling? It is a decision model. It is a decision to give you an example, should we separate the front river from the back river? Is that just for the striped bass habitat? Is that best for that? We know there is one way to do the channel, but there are alternative ways, and so there's continually modeling in this Tier II process to determine what is the best way. What is the best way to recover sturgeon, what is the best way to recover the striped bass? The striped bass habitat issue has been around even before deepening. So we're trying to go the extra mile with this project. That's why it makes it so critical the project move beyond this point into the design phase so we can do the kind—, we can continue the modeling as to determine exactly what should be done. Should we have a separate front river from the back river, should they be commingled? All of that. That's part of a design process and that's why we're suggesting that we need to move ahead with the design of this project so that we can answer specifically the question that you and the other—. Commissioner Murray said, well, let me ask my question one more time. Mr. Griffin said, yes, sir. Commissioner Murray asked, when the harbor was deepened from 36 to 42 feet, the modeling that you did then, that was done then on both sides of it, are you saying that that was accurate? Mr. Griffin said, it was not—. Commissioner Murray said, today it is still just like it—. Mr. Griffin said, it was not accurate because the idea—. Commissioner Murray said, my question was what percentage was that off. Mr. Griffin said, I have no idea. Commissioner Murray asked, it wasn't somewhere around a hundred percent? Mr. Griffin said, and there's no really way to measure that except the fact that the modeling we have done now has shown that the movement of salinity was not as was predicted by the Corps of Engineers previously. Commissioner Murray said, so, in other words, it was not accurate. Mr. Griffin said, that's correct.

Commissioner Murray said, okay. Why are y'all asking permission at this point to approve this particular resolution? Mr. McCurry said, to be quite frank with you, I was—, we're here in response to being invited here. Commissioner Murray said, so y'all have not asked for this resolution. Mr. McCurry said, no, sir. Commissioner Murray asked, where did it come from? Mr. McCurry said, my understand is it was brought up at the last meeting. I'm not objecting to it, don't get me wrong.

Commissioner Price asked, how do you feel about the timing of it? Is the resolution needed at this time to be able to move to the next design phase or the next tier? Mr. McCurry said, we are—, things are moving pretty steadily in Congress and we are hopeful and expect that we'll be able to obtain authorization to move into design and work out all these studies in the near future. Congress is projected to be out of session the second week in October, and hopefully it will be done by then.

Commissioner Murray said, as I said earlier, I don't particularly care for the wording of it and can't support it the way it's written. The other question I have, would y'all have objections to including a person on the Commission to represent the Commission in your stakeholders' group? Mr. McCurry said, no, sir. Commissioner Murray said, well, I—, in that process I would like to recommend that the Chairman be a person that is also an addition to y'all's stakeholders' group. Mr. McCurry said, that's duly noted. Commissioner Murray said, so we will have some input, especially if we're doing resolutions—. Mr. McCurry said, yes, sir. Commissioner Murray said, like this to support it. I'm not against what the port's doing. I'm against the way this is written and saying that we support right now 48 feet, and the reason I'm saying that is if you've got Charleston, I think you said, was at 40 feet right now. Mr. McCurry said, 40 moving to 45. Commissioner Murray said, permits in to go to 45? Mr. McCurry said, yes, sir. Commissioner Murray said, and we want to go to 48 or 50 feet? Mr. McCurry said, we want to go to—, up to 48 feet. Commissioner Murray asked was the problem the depth of the harbor or is the problem the height of the bridge? Mr. McCurry said, as problem is depth of the harbor. The bridge is more than sufficient. Commissioner Murray asked, and always will be, is that—? Mr. McCurry said, always will be is pretty unilateral, but as far as we could ever guess, yes. Commissioner Murray said, if all the other ports need no more than 45 feet, why will we need 48 feet? Mr. McCurry said, I wouldn't suggest that all the other ports need 45 feet or less. First of all, if you're measuring against Charleston, Charleston's study is somewhat older than ours. Ours has just been completed this Summer, so we have the most up to date and accurate information, but there are other ports on the east coast that are 50 feet or greater in depth. So it's not a matter of what is Charleston and that being the standard by which American ports are measured. Commissioner Murray said, well, I think Charleston is the most competition we get in Savannah. Mr. McCurry said, Charleston is probably our biggest competitor. Commissioner Murray said, and I think one reason that they're so far ahead of us on containers is not necessarily the depth of the harbor, but the shortness coming in to where they unload rather than coming all the way up the Savannah Channel. Mr. McCurry said, well, there's different arguments on that regard because—. Commissioner Murray said, I'll bet it is. Mr. McCurry said, they have one terminal that's closer than ours, but they have three terminals. We only have one terminal, so we have greater efficiency to scale there and it can operate within one area without sending boxes to and from two and three different terminals, which is a—, you know, there's measurable benefits to both. Commissioner Murray said, I will stop at that, but I am opposed to it the way it's written. If we could change the wording then I might—.

Chairman Hair said, Commissioner Saussy and then Commissioner DeLoach and then Commissioner Rivers. Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy said, my question is already answered about Fort Jackson. Chairman Hair said, okay. Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, as far as the issue of the vote concerning this resolution, they're in the process right now of being before Congress requesting funds. It would—, I would like if I were up there to have a resolution that I could hand out to each one of the Congressmen that I approached showing them that the local people who will be—, have the greatest stake in this, are in support of this. That's one of the reasons that this resolution is up here. We need to make sure that anybody who is representing us has anything that they can use to say that these local citizens are in support of this and that is the reason the resolution's here. It's not premature. It is on time as far as I'm concerned because they're up there right now soliciting for money. Now if there's a problem with the 48-foot depth and if you want to word it where it's 42 to 48, I don't have a problem with that because all the stakeholders need to be addressed, but we need to, as a Commission—, our largest employer, we need to make sure that we go on record and they can haul that record around with them in their hand and hand it out to anybody that wants a copy, that we support the Georgia Ports Authority, and if they need 48 feet, we go to 48 feet. If they need 42, go to 42. I'm not questioning that. I'm going to let them do the study. But the resolution is on time and accurate because they're in the final stages of requesting this money, and if we're up there, we want to be in front of

everybody saying, yes, we're Savannah, yes, we're Chatham County, we do support this and we do support our Congressmen and our Senators as they request this money, and I think that's the reason this resolution's here.

Chairman Hair said, Commissioner Rivers and then I want to make a comment. Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, I'll ditto what Eddie [DeLoach] is saying. I happen to be ever cognizant that this port does need to be competitive. I've seen Baltimore lose all of their cargo to Hampton Rhodes, and they came back in and built a seagate, which gave them another edge coming back in, so I—, you know, I worked these waterfronts, both New York and Savannah. I brought ships into the harbors around the world, so I can understand very well how competitive a port could be, and I would urge that we support this resolution and send it on up so that we could be ahead and stay a step ahead. Commissioner DeLoach said, yes.

Chairman Hair said, I would like to agree with Commissioner Rivers and Commissioner DeLoach. I think this resolution is timely. I think we need it now. I think that the GPA is to be commended. I think they've already addressed the questions, every question Commissioner Jackel asked, they already had in their study. He asked about Fort Jackson, it's already been there, a million—, Fort Jackson. They've already addressed the issues at Tybee. I think they've already addressed the DO issue. I mean, I think they're to be commended. I think they have brought the stakeholders in and I think there is adequate protection, and I do think we have to realize the importance of this port to our community, and I think the resolution is a good resolution. I don't mind some minor tinkering with the language I think a couple of you want to make. That's fine, but I do think it's timely and I do think we need to go on record as supporting this. Chairman Hair recognized Commissioner Price. I'm sorry, Commissioner Jackel and then Commissioner Price.

Commissioner Jackel said, let me talk about the language here. First of all, there's nothing about—, in the resolution about protecting Fort Jackson or the bass fishery or anything, but there is one paragraph in here that I have great trouble with. "Whereas, any effect on water quality or aquatic life in or near the river resulting from deepening the channel will be mitigated." I would be embarrassed if we passed that. I mean, we need to have language that says that whatever's done is going to protect the quality of water and protect the aquatic life in this area, not just mitigate any damage that will happen to us.

Mr. Griffin asked, Mr. Chairman, may I answer that question? Chairman Hair said, certainly, Mr. Griffin. Mr. Griffin said, Mr. Jackel, that's an excellent question. It comes to a matter of definition. I would not recommend the use of that word mitigate also. It sends the wrong signals. If I may read the language that the U. S. Fish and Wildlife Service, the EPA, and the folks in South Carolina have suggested, and the Corps, have suggested and agree we use, and this is language that is in the document that is before the Congress and will be authorized and it is language that will become law when the Congress authorizes that. This is what it says, and I'll address Mr. Price's question too at the same time in that. Let me read the first paragraph here: The Tier II Environmental Impact Statement, which will through appropriate scientific analysis—, that's the additional studies over six million more dollars [sic] worth of studies that's going to go into this project—, identify the depth which results in a—, a depth that results in acceptable level of environmental impact. So it will be a depth that is acceptable environmentally that will be selected. The Congress has to get a—, something in Congress. We've said we go as far as 48, but this says it will be a depth that will be environmentally acceptable that will come out—, will actually be built. And then identifies the mitigation necessary, and now it defines mitigation. It identifies the mitigation necessary to avoid, first; minimize, second; compensate, third, for the impacts. So mitigation by its technical language is a process of avoidance, minimization, and compensation. And that—, I would suggest that's the language you ought to capture in your resolution. Commissioner DeLoach said, right.

Commissioner Jackel said, well, what would be acceptable to some of our environmental rapists would not be acceptable to a pro-environmental person to me. Mr. Griffin said, exactly. Commissioner Jackel said, I'm not sure that that language is still—, is still adequate when it says an acceptable level of impact on the environment. I mean, you know—, I mean, how much trash do we allow on our lawn? I don't like any my lawn. Some people, they don't mind a whole bunch of trash on their lawn. Mr. Griffin said, that's why the answer to that question is—, the question is an excellent one. The reason that that is in there is that it then will be—, the determination of acceptability is the process of the stakeholders' group. In other words, you will have a group of folks that are going to develop and come to a consensus on what is an acceptable level, what does the word avoid, what does the word minimize, what does the word compensate, that is the mission of the first phase of the stakeholders' process. Then once they come to clearance, and those clearances will be at the highest level of agencies, for example, the Department of Natural Resources, EPA, EPD, Fish and Wildlife Service, all of those folks, and the other stakeholders that are involved in it, [inaudible] Tybee and others that are in there, will define this for us in the sense that you're talking about, sir.

Chairman Hair said, okay, what I'm going to do is recognize Commissioner DeLoach. Let's get a motion on the floor and then we'll give a chance to anybody who wants to speak on the motion before we vote on it. I will ask you to be brief, but let's get a—. Commissioner DeLoach. Commissioner Rivers asked, are we going to amend that? Chairman Hair said, well, he's going to make a motion. Commissioner DeLoach will make a motion.

Commissioner DeLoach said, I make a motion to pass this resolution with these following amendments to it: The outline that the Georgia Ports Authority gave us as far as the Tier II specifically outlining what measures we will go to to make sure that the environmental study is done. That quote we're going to add to there, and also instead of saying to a depth of 48 feet, we're going to say to a depth up to 48 feet so that we can allow the variables that is needed to make it environmentally acceptable. Chairman Hair said, all right. We have a motion, do we have a second? Commissioner Rivers said, second. Chairman Hair said, we have a motion and a second, okay. Ms. Jennings, you have—, like to make some brief comments?

Ms. Judy Jennings said, thank you, Mr. Chairman. I don't want to debate the merits of this project. I'll do that in Congress, as these gentlemen know I will, but I'd like to talk to you about Chatham County. What I have in front of me is responses to comments received as a result of public review of the draft report and feasibility study. I'm talking to you as Chatham County Commissioners. I don't want to debate the merits of the project. I want to be clear about that, and also I want to be clear

that—, I'll take just maybe two or three minutes here to read fairly quickly through some things and I want to be careful. I have an 800 page document in front of me, and I will be taking things out of context. When I say the word oppose, I mean that the spirit of the letter opposes the project. When I say concerns, I mean concerns. I do not mean that the spirit of the letter opposes the project. Am I clear about that? Commissioner DeLoach said, yes. Ms. Jennings said, Conbulk Marine Terminals said we are opposed to the GPA expansion for the Savannah Harbor. What I'm trying to tell you here is that GPA is a very important component of the economy here, but they're not the only resident on the river, and I also want to tell you this. I started looking at this project from environmental points of view. I am concerned about the refuge, the striped bass fishery and other natural resource issues, but my interest has been maintained and I read that 15,000 [sic] page document largely because of an abiding interest in international commerce. So if you'll just listen to me for a minute on that basis. Engelhard said in order for Engelhard Corporation to vote for the Savannah harbor deepening project, economic divisions must be included in the project funding to provide for the full cost of mitigating depletion of DO, dissolved oxygen. Fort James had a concern about more stringent environmental regulations. GPA responded by saying, although the potential exists for more stringent environmental regulations in the future, no degree of certainty can be established at this time concerning the extent or timing of those changes. I'm trying to show you here that this is a very complex issue. Aztec Trading said the issue of one-way traffic has not been adequately examined and needs addressing. If indeed the larger vessels will require the delay of other vessels in transit, this issue must be addressed now. It is unacceptable, in our opinion, to expect us to delay our vessels to accommodate a wider, deeper vessel. They live on the river. They're there. Hunter, Maclean, Exley & Dunn, attorneys at law: Please be advised that this firm represents Blue Circle Cement, which owns property on Hutchinson Island. Peoples Industries: We are opposed to the GPA expansion for the Savannah Harbor. Powell, Goldstein, Frazer & Murphy, attorneys at law: This firm has been retained to represent Union Camp Corporation.

Commissioner Price asked, what does that mean? Ms. Jennings said, I'll be glad—, okay. Commissioner Price said, I mean, you're talking about representing firms. They have—. Ms. Jennings said, well, would you like me to go further? I'd love to elaborate. Commissioner Price said, you're insinuating something beyond what I think—. Ms. Jennings asked, may I read you the full context and I'll explain to you. I'd love to. I appreciate your question, Ben [Price]. This law firm has been retained to represent Union Camp Corporation to review the April 1998 draft Environmental Impact Statement and other materials related to the United States Army Corps of Engineers proposed expansion of Savannah Harbor. We have comments on behalf of our clients; however, due to the complexity and volumes of material, over 1,500 [sic] pages, we hereby request an additional time—. They're asking for more time in the review. Joel Williams signed the letter. I think probably some of you know Joel Williams personally. Commissioner Price asked, are they not part of the stakeholders? Ms. Jennings said, in fact, Ben [Price], that's a lovely question. Commissioner Price asked, they're not involved in this process? Ms. Jennings said, no, if you would—, I can't answer that for you because I'm not putting the stakeholders' meeting together, but when I—. Commissioner Price said, why don't we have somebody who's here who's from the stakeholders speak to it. Ms. Jennings said, if you can determine for me who, what—, who will be a stakeholder, I'd appreciate that. I'd appreciate it. Okay, do you understand what I'm saying? Commissioner Price asked, are you not attending these meetings? Ms. Jennings said, to my knowledge, there have been no meetings. And, by the way, while we're at who gets to play, may I continue? I'll come back to that.

Chairman Hair asked, Ms. Jennings, how much time are you going to be? Ms. Jennings said, I'm about through. I'm making a point. I just want to make sure—, I just wanted to know how much time you need. That's fine.

Ms. Jennings said, Savannah Electric, the draft document specified that the deepening would consist of extending existing side slopes to the proposed depth, i.e., no widening is generally planned. This methodology could impact the arrivals and departure of other non-GPA vessels, such as the coal carriers for Savannah Electric. Sea Garden Seafoods, they expressed the opinion that if—, we are convinced that if the total cost to society and the eco-system are considered, that there would be no justification for proceeding with this project. Southern Environmental Law Center makes the point that the scope of the Savannah Feasibility Report is entirely inadequate in failing to address the economic inter-relationship between the proposed Savannah project and the existing and future conditions that [inaudible]. Stone Container makes—, as a matter of fact, this is reiterated by several others, but they expressed concerns the project predicts violations of state DO criteria; the project violates state and federal anti-degradation principles; the project may result in a harmful increase in fluoride levels in the lower Savannah River; GPA's modeling efforts are deficient with respect to DO, salinity, and other crucial impacts on the environment; the Corps' letter—, response to the project does not comply with [inaudible] and its implements and regulations. The point is, guys, there's 800 pages here of people who live on the river, that that have economic interests. As a matter of fact, I remember reading in here somewhere that the manufacturing interests on the river bring in about 40% of the economy to this region, and you guys represent them. I'm talking to you not as Congress, not the body that will authorize this project or subsequently appropriate for it, but as representatives of Chatham County, and 800 pages of comments here and I invite you to read them. Now in terms of your action today, I've read what you've proposed and I very sincerely believe that it is premature. Number one, would you guys—, I want to go back to the stakeholders group, Ben [Price], but the reconnaissance study for this project was finished in July of—, do y'all know when? You don't know. We weren't here talking about this project back in 1996 when the reconnaissance study to enable this project was funded by state and federal tax dollars? We weren't talking about it then? This project's been on the table for two years. So, in fact, somebody might come behind me and say premature, Ms. Jennings, it's been on the table for two years. But it is premature because of the inadequacy of the draft Environmental Impact Statement. Georgia Ports Authority looked—, found in legal regulations the authority to tier the process. They're asking Congress to authorize them on a Tier I EIS, and they're suggesting that they put together a stakeholder evaluation group to determine an optimum channel depth somewhere between 42 and 48 feet. Now, I can say that resource agencies, industry and GPA have spent significant time arriving at language to enable this process to move forward. I question any language that you can come up with that would be more meaningful than the language that they have come up with, and it may not be in its final stage, but I have a copy of it as of yesterday, and it basically supports the tiering process, which it's debatable, but that's debatable in Congress. It's not debatable before you as a body of Chatham County Commissioners, who represents everybody on that river. So, I'm going to suggest to you that rather than the language you have, and I've got to tell you, guys, every one of those bullets is debatable. Every one is debatable. If you go on line with it—, in fact, you're moving away from the process that a lot of time and energy has been invested in by your constituents, industry, by your constituents, natural resource agencies, and by your constituent, GPA. They have arrived at some language that will enable this project to move forward. I think at the maximum you could

endorse that language, and I would suggest that GPA provide you with a copy of it. I would hesitate to guess how many thousands of hours, man hours, have been put into that. So as an alternative I suggest that to you. Now, Commissioner Price, about the stakeholders evaluation group, I'd like to ask you how the mailing list for this public hearing was assembled? And I'm going to go back to the stakeholders evaluation group, but since we're talking about who gets to play, who put that evaluation—? The reason I ask is, there have been two public—, two guest editorials in the newspaper about this project. Doug Marchand, the Executive Director of GPA, wrote one of them. I wrote the other, and I learned about this project second hand, this public hearing second hand. So, I've expressed that as a constituent, and I was pleased with the response I've had from my Commissioner, but as a body if anybody could tell me how the notification of this public hearing went about, I'd love to hear it. Commissioner Price said, this is a regular meeting of the County Commission. Chairman Hair said, I don't know that's relevant. Commissioner Price said, this is not an official public hearing of any sort. It's a —. Ms. Jennings said, there was a mailing. Commissioner Price said, it was a determination on our part—. Ms. Jennings said, there was a mailing. Commissioner Price said, well, we do resolutions on a regular basis—. Ms. Jennings said, your agenda mentions it. Do you mind reading from your agenda? Commissioner Price said, would you quite interrupting me and let me finish. Ms. Jennings said, I apologize. Commissioner Price said, I mean, if you want respect, show respect. Ms. Jennings said, I apologize sincerely. Commissioner Price said, the nitpickiness of what you have to say diminishes the overall importance of getting this project done, and I take exception to the fact that you are up here showing the type of disrespect that you are. This is a resolution that comes about, just like any other resolution that we have on a regular County Commission meeting. We don't send out public notices. We don't contact everybody who we may or may not know how they feel about it. Ms. Jennings said, are you not aware there has been a mailing? Commissioner Price said, this is a public forum. The fact that we meet in the open like this and you have the opportunity to come talk to us is the opportunity that you have, but to know whether—, how you feel about this, I didn't know anything about you. I had no idea who you were—. Ms. Jennings asked, you don't read the paper? Commissioner Price said, and don't know who you represent even today, and I would ask you who do you represent? Ms. Jennings said, Judy Jennings. Commissioner Price said, okay. Ms. Jennings said, I'm a constituent of Chatham County. Commissioner Price asked, how would I know Judy Jennings felt this way? How would anybody that's attending this meeting today know to contact Judy Jennings? Ms. Jennings said, I told you there have been two guest editorials in the paper, Doug Marchand wrote one and I wrote the other one. Commissioner Price said, well, I don't always read the paper. Commissioner Price said, I think that's unfortunate. Commissioner Price said, I don't always read what the editorials are. Ms. Jennings said, if we can go back to a matter of fact about—.

Commissioner Murray asked, can I clarify something, Mr. Chairman? Chairman Hair said, it was advertised as a hearing. Commissioner Murray said, it was advertised as a public hearing. Chairman Hair said, and that's what we're doing. I mean, that's why Ms. Jennings is up here. She's testifying right now. Commissioner Murray said, a public hearing is conducted a little bit different than the way we've conducted the this, or we have in the past. Chairman Hair said, anyone will get a chance to speak. How much more time do you need, Ms. Jennings? You said about 10 minutes ago you just needed—, you were about to wrap it up. Ms. Jennings said, we wanted to address the issue—, well, for one thing, I want to go on record that I have not had an answer to how notification of this public hearing was brought about. I think as a body, if you don't know that you as a Chatham County Commission sent a letter to certain individuals in the community and announced a public hearing on this issue, I think that is deficient, and I'll meet your disrespect with disrespect. Chairman Hair said, thank you, Ms. Jennings. Anyone else want to speak on this issue?

Commissioner Jackel said, let me just make one brief comment, if I may. Ms. Jennings, I'm so glad you came up to see us. Ms. Jennings said, I appreciate it. Commissioner Jackel said, I want to applaud your efforts. I appreciate you reading through that document and giving us your benefit of that. Ms. Jennings said, well, I only gave you 10 minutes of it. [Inaudible.] Commissioner Jackel said, I wish more of our citizens would inform themselves and get involved, and it's great to see that. Ms. Jennings said, thank you.

Chairman Hair said, Ms. Hughes. I'll recognize her next.

Ms. Amy Hughes said, thank you, Chairman Hair. My name is Amy Hughes. I am the Vice President for Existing Industry and Government Affairs with the Savannah Chamber of Commerce, and I serve as the Executive Director of the Savannah Area Manufacturers Council in that role. I wanted to come up here briefly to set straight for you what is the position of the business community on this issue. We have held many, many meetings, conference calls for hours and hours and hours on this particular issue. We have spent at least \$20,000 directly evaluating the Tier I EIS and to look at the potential effects on the river, and perhaps the best way to sum it up is that the business community recognizes the need for the Savannah Port to remain competitive in the global economy, and therefore we support the proposed deepening but that is conditional provided that the deepening does not affect—, negatively affect the water quality in the river, specifically with regard to dissolved oxygen and increased fluoride levels. Our position is that the money for the mitigation of the project has to be, or the predicted negative effect as currently stated in the existing Environmental Impact Statement, must be included in the Congressional authorization of the bill, and that's where we have tried to focus our efforts. We've been working—, first of all, the GPA says that we could hand-in-hand and say this money has to be included as a specific line item for mitigation of DO and salinity, and that also that the mitigation must proceed concurrently with the deepening. In other words, don't wait for the negative effects to happen and then begin to mitigate afterwards. Do it at the same time. Any questions?

Commissioner Jackel asked, do we know the attempt to put more oxygen in the water, is that working? Will that work or is it working anywhere else? Ms. Hughes said, they evaluated that then gave the Manufacturers Council, the River Committee of the Savannah Chamber of Commerce, engaged a consultant from Vanderbilt University to look at alternatives for mitigation because when we first saw that Environmental Impact Study [sic], the predicted 1-PPN (phonetic) decrease in the dissolved oxygen, you can imagine the effect on those companies because that would in turn cost them millions and millions of cost—, of dollars that are not predicted in the existing Environmental Impact Study [sic], and so, again, we engaged a professor of Vanderbilt University to look at projects, similar projects around the country and then came up with a couple that were not compatible, for instance, the Tom Bigbee [phonetic] Waterway, there was a mitigation project in which they felt like due to the nature of the bodies they were different, but they did find an oxygen—, that's a hard word to say, an oxygen reinjection method that was in effect out on the west coast that they felt like would be appropriate, and came up with the estimated cost of \$24 million for that, and that is included as a specific line item. Now, as—.

Commissioner Saussy said, there should be a—, there's an oxygen regeneration—, reinjection right now in the Clarke Hill and Russell Dam. Chairman Hair said, right, and they've been doing it for years. Commissioner Saussy said, been doing it for years. Ms. Hughes said, but at this—, of course—. Commissioner Saussy said, that's nothing new. Ms. Hughes said, since we're talking about a 50-foot hole down there, that's a little bit of a different issue when you look at the hydraulics that are concerned, but it is possible. Commissioner Jackel said, I have a friend that does it in his aquarium, but that's not going to prove to me they can do it in the river.

Chairman Hair asked, any other questions of Ms. Hughes? Chairman Hair recognized Commissioner Thomas. Commissioner Saussy said, engineering is not an exact science.

Commissioner Thomas said, I don't have a question. I just wanted to—, the Corps of Engineers, they're involved with this project as well? Ms. Hughes said, yes, 'mam. The Corps of Engineers and GPA work very, very closely and, quite honestly, the business community wasn't really brought into the process until late Spring, until June, when the—, or excuse me, end of May when the document was put on the street and so they've had to get involved rather quickly. Now it's my understanding that the GPA is the one that will be coordinating the stakeholders group along with the Corps and that groups who request to be involved in that stakeholders group are being placed on there. I know we requested to be on there, I know the business—, a couple of the individual businesses did as well. I know the Chatham Environmental Forum requested to be involved on there, so I think that's the way to get involved with that.

Chairman Hair said, thank you, Ms. Hughes. Commissioner Thomas said, thank you. Chairman Hair said, next. Just come forward and state your name for the record, sir.

Mr. Frank Peeples, Jr., said, my name is Frank Peeples, Jr. I come to you today as one of the stakeholders. I'm one of the landowners on the Savannah River, and I would like to say to you that what happened at Fort Jackson and what is happening presently at Fort Jackson isn't unique, and I would say that after the last dredging initiative that was started in 1992 and was completed around 1994, these same studies were done. We were given the same assurances that you were that there would be no damages, that the model showed that this was going to be a totally beneficial dredging project. I would like to speak to you today as someone who's lost nearly 50 feet of land in frontage on his property where actually our marine terminal is falling into the river. It's taken a number of years to happen. We didn't know what was occurring in 1994. We've spent to date probably over \$250,000 studying what has occurred, and what has come back to us is that the deepening of the channel to 42 feet has actually taken our piece of property—, actually—, the way that it was done and the depth and the natural angle and the pose that it's formed post the dredging, actually has had our land slide down into the river. There's a number of other issues that come into play here. There's increased siltation because if you widen the river, you slow it down. You decrease the velocity. As a terminal operator I have to deal with issues every day of maintaining my harbor, being able to keep those depths so that these ships can ply the—, come to my dock, and in these past two years we've experienced increased costs in our dredging due to increased siltation. Some of that may have been caused by the changing of the back river, but all of these studies that were done by the GPA in the last project once again gave us the assurance and confidence that this damage wouldn't occur, and it did. And we're living with it today, and I invite each and every one of you to come to my facility and let me show you exactly what's happened and tell you that I am extremely nervous about them dredging down to 48 feet, or anything over the existing 42 feet where they are now. There's another issue that looms out there in terms of the maintenance dredging. I hear from the Georgia DOT that our spoils sites where all this maintenance dredged materials goes are going to be full in the year 2000. So given that, if we have a new project and we're putting material up on the shores, where are we going to go with that material in the future? So we're having to study now where exactly—, what's going to come to pass with all the new dredged material that will be created. The option that's on the table is to move the material offshore, dumping offshore, which is the practice, you know, all over the world. The problem with it is it adds an additional \$25 per cubic yard of material moved, which would put most of the private operators in the port of Savannah out of business. Non-competitive. So that is another issue that I have with this. I would also say that I think this resolution is extremely premature. I think that there's a lot of study and due diligence that needs to be done by Chatham County. I think to turn over our port planning to the Georgia Ports Authority as one entity is a mistake. I think that there are a number of stakeholders along the river. I'm only one. I don't represent the others, but I know they all share the same concerns. I was in a meeting recently of the Savannah Maritime Commission where I heard these exact issues come up. And, once again, we don't get any answers, all we get is that this will be taken care of in the next phase of the project. Well, I heard these exact same things back in 1994 during the last dredging project, and not one of these concerns was addressed and my property is falling in the river today. So I would ask you please to reconsider this resolution and to study this matter further.

Chairman Hair said, thank you, Mr. Peeples. Next. Mr. Saylor, I'll get you next and then we'll—. Everybody will have a chance to speak please.

Ms. Becky Shortland said, I'm Becky Shortland. I'm hear representing the Coastal Georgia Center for Sustainable Development, and I expect that there would be many, many, many, many more individuals and organizations represented today if they were aware that this was advertised as a public hearing, which it was indeed. I would also just like to briefly remind you that there are many other economic interests, and our center does represent recreational fisheries, which is a very, very economically important beneficial industry to this coast, commercial fisheries, as well as tourism and recreation interests that have deep, deep concerns about the potential costs to their industries for this harbor deepening project. If you are to consider a resolution to send with your representatives to Congress, I would suggest that you do perhaps include all of the costs that may come about as a result of this harbor deepening that have not even begun to be tallied, and there are quite a few that haven't even been suggested here today. We do not have any assurances or any knowledge that there will be acceptable mitigation, that there will be acceptable damages and impacts to all these other industries. Please take that into consideration as you make your resolution decision. Thank you.

Chairman Hair said, thank you very much. Commissioner Jackel said, thank you. Chairman Hair recognized Mr. Saylor.

Mr. Saylor said, Mr. Chairman and members of the Commission. Thank you for the opportunity to appear before you today. My concern is for the taxpayers of Chatham County. I have driven piling up and down the Savannah River, I know the length

of them, and my concern right now, for example, is Rousakis Plaza. I remember when those pilings were put in in the late 60's and early 70's. They are rather short pilings. We never envisioned a deeper channel. Now if the channel is deepened and Rousakis Plaza begins to crack and fail, then who's going to have to pay for it? The taxpayers. It would take quite a bit of time for this to happen, over four or five years. But those pilings are short. We can't bring some ships up there. We tried to get dredging in front of it. Hussey, Gay & Bell said, no, we just can't dredge in front of it because it might fail. But to give you an example, to build a new bulkhead today is about \$3,000 a foot, but if that begins to fail and you have to tear it all out, that's probably \$2,000 a foot, so if you say \$5,000 a foot times a mile, you're looking at \$25 million. If I were the owner of the Hyatt Hotel and the other hotel down there, the Marriott, I would be here today, but they don't have the experience that I have to realize the danger. So if you have a resolution, please put something in that resolution that will protect the taxpayers of Chatham County. That's all I ask. Thank you very much.

Chairman Hair said, thank you, Mr. Saylor.

Mr. Frank Peeples, Sr., said, I hope y'all will forgive me for letting that young man, my son, come first, but I think he needed the experience. Commissioner Jackel said, he did very well. Mr. Peeples said, thank you, sir. Sir, I'm not going to come here as the wounded property owner, but there—, a few numbers have been left out. My marine construction company at our particular facility is estimated to recover what was damaged and eroding will actually require restor—, rebuilding a higher facility, but to replace it in its like kind as it was the Gordon Walk, started in 1841, is \$19.2 million and I think my son, who's inheriting that, has something to be concerned about and don't take this particular item flippantly. But another thing I would like to say is, or like to approach here is, I'd like everyone who's here who has every been a ship owner or a chartered ship owner of a container vessel of more than 2,000 TEU capacity to hold up his hand. [NOTE: No one responded.] Mr. Saylor said, I think that when we get to traffic in containers, I don't know of anybody else who has that hand up in either Georgia or South Carolina today. I think when it comes to containers and traffic I know what I'm talking about. I would ask you to consider a couple of things. When we operated our container vessels, they didn't come to Savannah. They went to Charleston in the South Atlantic for economic reasons on our part. We couldn't come this far South and fit ourselves in the sailing schedule fought nightly to the [inaudible]. Those ships for the vessel itself cost us right at \$25,000 a day, but the containers, the chassis and the slots in Europe, and everything that you couldn't cut the cost off on, which is a container operator faced, cost an additional \$50,000. In total it was slightly less than \$75,000 a day for a vessel. Those were 2,400 TEU ships. The mega class vessel that is being proposed our harbor should handle is a 6,000 TEU ship. Now there is some economy of scale in the size of the ship. I mean, I'll go 40,000, not tripled the 25 cost of the vessel, but those boxes, those containers, those chassis, those slots, and I'm talking 1989 numbers, a full retail, and there is no economy of scale. We're talking about a moving thing here of over \$200,000 a day, and I don't care who he is or where he comes from, if he thinks that all these owners of vessels are going to be making all these ports who're going to give them 50 feet of water, he's sick. They're going to drop those boxes some place and feed from there. What's come up here and scared everybody to death, but it's too late. It's there. Is the Wa—, the Hutchinson Wappoo [phonetic] Company, who I dare say probably had the economic muscle and certainly the traffic muscle greater than the Georgia Ports Authority. It moved in the Freeport, Bahamas, and put a transfer port in, and that transfer port very inexpensively gets those boxes off and puts them on another ship to feed into us. For us to contend that we're going to be some kind of mega port is like us trying to say, move over Atlanta, we're going to take over your super hub aircraft position. I'm afraid not. We have had contact with world leaders in this trade. Ship owners. I know of not one single one of them who's considering Savannah, Georgia, as its mega port today. They recognize some facts. We're a narrow, shallow ditch. For us to economically push this old girl into trying to be some super bus, really just doesn't make a lot of money. And if we need to have, you know, some stab at this mega port thing, please let's just move down to the eastern end and not ruin the rest of the harbor. If they can do it at Freeport, maybe we can do it down at Oyster Bed Island or some place and feed those particular ships up here to our Garden City super port. I don't think that's going to happen. I don't think any of it's going to—, and I don't even think we'll lose much container traffic. Traffic goes where traffic goes, and the ships are going to go to Freeport and maybe Baltimore, and one of the reasons we're not going to be a mega port is we don't have the inland infrastructure to support it in the race. Cars have to be spotted in here for us, and that costs the railroads money. We're going to fit our natural role and it will be there, and in the words of Alan Meyers (phonetic), our Georgia Department of Transportation hired to run our intermodal study for Chatham County, there's going to be enough to go around for all. I'd like to tell you that anything built beyond 45 feet we're getting dangerous. [Inaudible] below us. There's no way that we can deepen this river without it naturally widening itself, and the dredging ability in front of Rousakis Plaza, nature will do that dredging as it tries to get its five to one slope. So let's us [sic] remember that. Let me ask you this, if you would. Would you please don't pass this resolution. There'll be times for us to do this again. We'll be before you again proposing that Chatham County take back its role as its port planner, which it gave up in the Rousakis administration of our City when his quasi brother-in-law was Director of the Port Authority, and let's start having our port plan for our County and not for the career enhancement of four people that I don't think lived in Savannah four years ago. Thank you.

Chairman Hair said, thank you, Mr. Peeples. Commissioner Jackel said, well said. Well said. Chairman Hair said, the next gentleman. Mr. Snedeker.

Mr. John Snedeker said, good morning. I'm John Snedeker. I appreciate the opportunity to speak to you today, as I have done in the past. My company is a maritime consulting firm, and we've looked at these issue in great depth over the past four or five years because we worked with a number of ship builders who were looking at the container trades and primarily from the prospective of American shipbuilders who would be building the feeder sized ships that Mr. Peeples referred to. We're also very familiar with the transshipment port that was created literally overnight in Freeport, the Bahamas, by a private enterprise company that was unconstrained with the need to come before boards like this or deal with the Environmental Impact Statement that stands on my desk at about six inches thick. I have, however, studied both the Feasibility Study and the Environmental Impact Statement and I find a deficiency in both. The Environmental Impact Statement, which is a typical [inaudible] document, I've seen many of those in the past, addresses nine concerns, all of which have been mentioned this morning, so I don't need to review those. Conspicuous, however, in their absence are any discussions of impacts upon the privately-owned terminal facilities and the improvements to the publicly-owned waterfront, the City and the newly created waterfront on the other side of the river that's owned by Chatham County. So I endorse the concerns or I reinforce the concerns that have been expressed by the representatives of the other industries along the river, as well as the terminal

operators, such as Peebles Industries. Looking at the Expansion Study, the Feasibility Study, which readdresses the environmental concerns itemized above, and proposes mitigation plans at some expense, the only references to privately-owned waterfront are in Section Four, the Real Estate Appendix, which briefly mentions removals of bulkheads of the TIC, The Industrial Company, and Savannah Maritime Services on Hutchinson Island, and the report indicates that these removals—, and this is my impression and not what they said—, the report indicates that these approvals will be takings, without compensation, and Section Seven of the Real Estate Appendix is rather interesting. I'll read it. It's very short. And this is a direct quotation from the Study: "Property owners have expressed some skepticism about the project. Rights-of-Entry for Survey and Exploration were difficult to obtain because of the property owners' skepticism. The River was widened in 1989 and deepened in 1995. The owners are wondering if this will be the last project to widen and deepen the river to accommodate larger [and there's a misspelled word which sounds like it's supposed to have been ship project] sponsor because some are building improvements and do not know if they will be adversely affected or not in the future." We do not believe that the GPA or the Corps of Engineers have adequately addressed the concerns of the private property owners nor have they addressed the concerns of the City of Savannah and Chatham County with regard to their water frontages. We do not believe that Chatham County should endorse the project at any depth until further studies have been conducted to address the concerns of the owners of the 60% of the harbor frontage that is outside the boundaries of GPA. And I would conclude by saying that we are supportive, very supportive of the need to improve our harbor facilities, not just here, but elsewhere in the country, and the Maritime Administration recognizes this. The Maritime Administration has specifically endorsed the need to expedite harbor maintenance, dredging projects, harbor improvement projects, but without further study I don't think we're in a position here today to reach a definitive conclusion as to the depth, much less the other impacts. Thank you very much and I have a written statement to leave with the secretary.

Chairman Hair said, thank you. Just hand it to our Clerk right there, and we'll put it in the record.

[INSERT]

Chairman Hair said, sir, come on forward please.

Mr. John Stanford said, my name is John Stanford. I would just like to ask a question about the wording in the agenda. It says also attached is a listing of individuals and groups to be invited. I didn't get a copy of the list and I would like to know how the groups were invited because the group—, at least one group I belong to was not invited.

County Manager Abolt said, Mr. Chairman, I can answer that question that's come up. It came up only as a side discussion when initially the issue was discussed by this Board at either the last meeting or the meeting before, and it was a desire to express an opinion on this. At the same time there was a general statement made to staff, let's notify some folks, and we did the best we could to notify some folks. It was not the type of competitive action that is conclusive that would result in any final determination on this. So, the traditional guidelines of a public hearing do not apply. It is purely your effort to try to broadcast as best we can, without a great expenditure of tax dollars to do so, general interest in this subject. That's all it was intended to do. Commissioner Jackel said, we'll be glad to add you to our future lists. Mr. Stanford said, well, the future is too late if you're going to make a resolution today. Commissioner Saussy said, not necessarily. Mr. Stanford said, I belong to two organizations, one is the Ogeechee Audubon Society of which I am the Vice President, and we have submitted materials to the Corps of Engineers on this topic, and I would have thought that at least that Corps of Engineers document could have been consulted in order to find out who else might be interested. I'm also on the Board of Trustees of the Coastal Heritage Society, and I don't see their name on this list either, and they, as has been mentioned earlier, are a very significant player in this.

Chairman Hair said, Mr. Stanford, we'll stipulate that everybody wasn't notified. We did the best we could. We'll stipulate that. Mr. Stanford said, so I would like to suggest that this—, any resolution be delayed until more people have been able to put input into it. Chairman Hair said, thank you. Mr. Stanford said, may I keep this? Chairman Hair said, certainly. Thank you, sir. Any other—, anybody else like to speak? Chairman Hair recognized Mr. Hunter Saussy.

Mr. Saussy said, thank you, Chairman Hair. Members of the Commission, I'm Hunter Saussy, a local structural engineer. I represent a number of firms along the harbor as their engineer and consulting with them on harbor protection, mooring, dockage, bulkheading, slope stability. I've been involved in every study that's been done on the harbor since 1945. I gave a talk to the University of Virginia some months ago as to this harbor from 1733 to 1900, and when asked why I stopped at 1900, this is why. In 1987 and 1985 and subsequently in 1992 a number of Environmental Impact Statements were written and very, very comprehensive ones they were. Even the preliminary, the initials, the early ones, the design memorandums were much more complete than what we've got now. Contrary to what was listed earlier, that report is not six inches high, it's more like sixteen inches high. It's about three volumes. There's a lot of repetition in it, there's a lot of good things in it, and I'm not here to address the environmental issues. I think they have been well discussed. We have structural issues. We've got them now. We're monitoring them as best we can since the last deepening. Just a few weeks ago one of your major port facilities here with slips in which to service their vessels, they're silting up as much as four and a half feet in 18 days. That's pretty extensive. Something's wrong. That wasn't mentioned in any study preceding approval or resolution of approval of such a deepening or widening, and that will occur too. Studies that we're doing right now, every day, and as a matter of fact last week across the river, and in particular at Blue Circle, are showing littoral currents increasing in velocities along the edges, which were expected, were not considered in this study and the side slopes are flatter than what they're predicting. There's not going to be the volume that they're presuming. The methods by which they achieve some of the acquired vessels met maneuvering in the harbor is not complete enough that I think to stick your head into that loop and say, yes, let's go, and we'll pay for the that during the design or during the construction phase. That study needs to be done now. I'm also the engineer, and I'm not here to represent them, so make that clear, but the City of Savannah is studying the Rousakis Plaza. That study is underway right now. There are concerns. I'm not prepared to list them. I have no permission to list them, but that study is not complete, but I think it's a significant basis in which this resolution ought to be deferred until those studies are complete and those people that represent a major frontage of this City and these taxpayers is addressed.

I could go on and on from the meetings back in June, the minutes that were taken, the methods and discussions and comments that I made to the attorneys and the various industries that I represent into which they have put forth in their responses to the government, but it would be repetitive. I think that we've covered most of it here in significant detail. The amount of vessels that were projected in the earlier studies were nowhere near what they're now saying. And these were just six or eight years ago. Their 50-year projections didn't include what they're trying to do now. They said everything else was nil more or less in the first one. The second one it was very minimal. The one presently, it should be a fairly small number of vessels up to a period of time of 30 or 40 years. It depends on how you want to interpret it. Certainly, we want the port to succeed. It is a major, major neighbor of ours and part of this community and this state and this nation, but I'm asking you, if you can, just on the basis fact that their ongoing studies are not at all significant, and here's evidences of problems that need to be addressed, not in the new design but that the design considers the effect of it, but were they wrong in the other design or are they needed as investments to be made by the private industries along the harbor to assure their operation and a reduction or elimination or minimization of threat or compromise for the benefit of being able to bring a vessel into the harbor that's going to narrow the channel [inaudible] for its depth of approximately 16 feet or 32 feet, if you will. I'm sorry, and cause passage problems that are potential there, and even if you study the vessels that can come in the Harbor now, it would require a wider harbor than you've got even though the—, thanks to the abilities of our present pilotage, they're able to handle everything. We haven't had any problems. I'm not anticipating there will be, but when you use the references that are given it would require a wider harbor than we've got now, and we're going to narrow it up for these larger vessels. But these are passing vessels. I'm not going to go into that. There are people that deal with that every day. I just think we're little premature. Thank you very much.

Chairman Hair said, thank you, Mr. Saussy. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, my question is, and I really didn't think about it until several people have mentioned the pilings and what's going on. We're spending a significant amount of money on Hutchinson right now. Part of that was spent on the bulkhead. Mr. Saussy said, that's correct. Commissioner Murray said, my question to staff would be, are those pilings and that bulkhead down deep enough that if the harbor's deepened and it starts coming in, are we still protected? County Manager Abolt said, I believe—. Mr. Saussy said, let me answer that in this manner. Some years ago we designed the dockage for TIC. We anticipated at that time it may go four feet deeper, and that was when it was 40. Something in that area. Now they're going to lose it just by a slope and turnage of the vessels at that point. As regards to Hutchinson Island, the concern there is, to me, and as far as the hotel, I did not review specifically the Trade Center, the sheeting within the Slip #3 nearest TIC or nearest where the vessels enter to serve the Haig Point debarkation area are 54 feet deep. The ones for the Trade Center are approximately 60 feet. The ones at the hotel are approximately 60 feet deep and set back a little differently. There is a real problem and my problem is the top of it. When you bring a larger vessel in you create a much greater bi-way. The design of the hotel bulkheads were done four times. Originally it was to be like a zig-zag or what we call a sawtooth. They were built in Europe, and continues the bi-way affects, the lateral pressures of that vessel, and arrives when waters are long there's some passage. When they decided and [inaudible], we designed it like Rousakis Plaza, which gave us an attenuation due to the fact that the wave would enter under the dockage and be attenuated out of danger—, out of harm's way. It has subsequently been revised in location and now it's what you see. During the time of some of the working operations now, before the caps were poured, we had overtopping due to bi-ways. I don't know what's going to happen when a 900-foot long vessel passes in there. I have no idea, but that needs to be studied in that ship modeling.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, Mr. Chairman, if you don't have any other persons coming to the—. Chairman Hair said, we have one more and I'm—, anybody else? Okay. I'm going to ask anybody that would like to speak if you'd come and take these seats up front so I'll know who's left. Dr. Farmer, if you'd come over. So we have two more then. Is that correct. Commissioner DeLoach said, yes. Chairman Hair said, okay. Thank you. Thank you, Mr. Saussy. Come on up, Dr. Farmer.

Dr. Bill Farmer said, the Georgia Ports Authority people indicated that the benefit to cost ratio in this project is about in the neighborhood of three to one and the cost is about a quarter of a billion dollars. So if you do the mathematics, that means the benefits are three times that, which are three-quarters of a billion, and therefore the net benefits, the net profit, so to speak, is somewhere in the neighborhood of one-half of a billion. The County would be ill advised not to promote such a project, to provide one and a—, to provide about a half a billion dollars of economic benefits to the community. Some of the arguments might be whether it's really half a billion or 50,000 less than that or a hundred—, million less than that or whatever, but somewhere in the neighborhood of a half a billion dollars is the net economic benefit of the project. In your agenda package is a—, should be a letter that recommends a minor modification to the resolution. It might be the page after your resolution, but basically it suggests to the County that you add these words to the resolution back in the meat of it where it says, you know, you're asking the Corps of Engineers to do this and do that, and just to add the phrase that says, "and to explore methods and processes of coordinating the harbor deepening project with Tybee Island Beach Erosion Control Projects to produce synergistic economic benefits to both types of projects." And what that basically means is this, that Tybee Island every six or seven years undergoes beach renourishment type of projects and, in fact, you all, you have pledged about one million dollars to help with this next Tybee project. I think if we could get the Corps of Engineers to somehow consolidate or combine or coordinate the two types of projects, the harbor projects and the Tybee Island Beach Renourishment Project, there could be some synergistic cost savings, and six or seven years from now the City wouldn't have to come to the County and ask for a million dollars. They could come and ask for nothing or maybe \$100,000, something like that. So I recommend to you the addition of that phrase to your motion, recognizing that if the harbor project does proceed, that such early investigations would provide benefits to state, federal, county and city governments. Thank you.

Chairman Hair said, thank you, Dr. Farmer.

Mr. Jim McIntyre said, my name is Jim McIntyre and I represent all of the carriers that use the port of Savannah, and I can tell you this is a vital topic for them in their consideration of where their vessels are going to call. Do I agree with the way the Georgia Ports Authority handles this? No, I don't. I do not think they include the private industry and look after some of their concerns that we've heard today. But for this committee to send out a message that it is possibly not going to support the

deepening of this harbor could send a terrible message to the carriers that I represent, and with the competition that we do have, that Mr. Peebles has, down in Freeport and Charleston, it would be a travesty for our people who are trying to get these benefits for this community not to have the support of our elected officials. Thank you.

Chairman Hair said, thank you, sir. I would like to say one thing based on everything I've heard today. I do think if this resolution passes, I think many, many good things have been said today. I think there's a lot of things out there, a lot of questions out there that have to be answered, but I think if the resolution passes, it doesn't mean we don't have to deal with those questions. We still have to deal with those because I think that you guys, all of you, have expressed really, really good things that need to be addressed and the questions that need to be answered. But I don't see a vote for this resolution being in any way diminishing of your concerns. I think it can do both. I think that these things have to be dealt with and you folks are the experts, and I think you've raised some great questions, but just because the question's been raised I don't think—, doesn't necessarily preclude me from supporting the resolution at the same time that we still address your—, the issues that have been expressed today. I'll recognize Commissioner DeLoach.

Commissioner DeLoach said, I just want to call the question. Chairman Hair said, we have a call for the question. Commissioner Rivers said, Mr. Chairman, point of order. Chairman Hair recognized Commissioner Rivers. Commissioner Rivers said, I asked—, I acquiesced to let these two gentlemen go and, by right, the floor should have come [sic] to me. Commissioner DeLoach said, I'm sorry, Joe [Rivers]. Chairman Hair said, it's there. The floor's to you. Commissioner DeLoach said, you've got it, Joe [Rivers].

Commissioner Rivers said, my question is—. Mr. Griffin, if we delay action on this resolution today, what effects would this have upon the process? Mr. Griffin said, I think it will have a—, I'm convinced it would have an effect of sending a message to the Congress that says that we don't want to answer these questions now, we want to answer the questions somewhere in the future, somehow. And some of what you've heard suggested maybe that they don't want to answer some of the questions, but I won't speak to that. It will send a message that this community is not willing to move ahead with a plan that is developing an Environmental Impact Statement in a design process, a design process that really gets down to the nitty-gritty of what we're going to build, the nitty-gritty of what impact specifically at a given point is going to be, that we don't want to do that now. That's what it's going to say. Commissioner Rivers asked, how can we insure that all of these concerns and all of these people that need to be involved are going to be involved in this process? Mr. Griffin said, I would suggest that your resolution—. Commissioner Rivers said, from this point forth. Mr. Griffin said, that you're proposing echo the language that is being proposed by the Corps of Engineers in what they call a Chief of Engineers Reports that fundamentally says that this project should—, is authorized to go into a phase that will answer all those questions. The Corps doesn't say it like that, but I can give you the language. It says that you must be successful in this Tier II process. We've given it a name, a Tier II process, which produces an Environmental—, a full blown Environmental Impact Statement with a public meeting, public hearings, the whole nine yards, and it says further that there will be no construction until such time as that is done. It says further that you will not construct anything until it's done, and that's what I've just said, but it also says it must be done as a part of the construction project. So questions having to do with will there be money to do what is decided that is the right thing to do, there has to be because by law it says we must in the construction project accomplish—, perform that mitigation as a part of the construction project. Feasibility is by the name, feasibility if we look it up in the dictionary is an investigation process. Is there a way to deepen this harbor? That's what you're saying. We're saying and the Corps of Engineers is saying and the environmental agencies are agreeing that there is a way to deepen this project—, to deepen this channel. Ladies and gentlemen, we've got to find that way and that's what we're asking you to do, allow us to find that way.

Chairman Hair said, thank you, Mr. Griffin. Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, let me hear Ms. Jennings comment and then I want to find out from Mr. Peebles if that—. Chairman Hair said, come forward please, Ms. Jennings, so you can speak to the microphone so we can record your comments.

Ms. Jennings said, I don't know if you guys heard me, but the language that I was suggesting to you is exactly what Mr. Griffin just referred to. Chairman Hair said, thank you, Ms. Jennings.

Commissioner Rivers asked, can I do this, unless—. Chairman Hair said, we have a motion on the floor. You can amend the motion. Commissioner Rivers said, I may table it, but I would like—, this resolution does not encompass all these things and I would like to let us move from here, just let the motion stay on the floor, move, get the wording into—, the corrected wording into this motion, and then come back. Chairman Hair said, if the—. Commissioner Rivers said, I was the second to it. Chairman Hair said, and if you will accept that. Will you accept that? Pardon? [NOTE: Commissioner DeLoach indicated a response in the affirmative.] Chairman Hair said, you will? Okay. Commissioner Rivers said, so can we have staff to get with them and get the wording into the resolution that's acceptable. Commissioner DeLoach said, we're going to vote on it today though. Chairman Hair said, that's right. Commissioner Rivers said, but I want staff in between time—. Commissioner DeLoach said, yes. They can—, you can doctor it.

Chairman Hair said, we have a call for the question. Commissioner Saussy asked, how are we going to vote on something we don't know what it's going to be? Commissioner Price said, it's going to come right back to us. Commissioner DeLoach said, we're going to vote on it today. Chairman Hair said, it's going to come back. Commissioner Saussy asked, today? Commissioner Price said, yes. We've still got a lot more to do. Commissioner DeLoach said, yes. Chairman Hair said, yes.

Commissioner Rivers said, I move that we suspend—. Well, we're going to suspend this. Commissioner DeLoach said, I called the question based on what Joe's [Rivers] recommendation is. Chairman Hair said, well, we don't need to vote on it if—. Commissioner Rivers said, we don't need to vote on it until after we get the language. Chairman Hair said, let's not vote until after we see this language. Commissioner Rivers said, I just move to put this in abeyance until such time as the language is entered in and brought back. Commissioner Murray said, second. Commissioner DeLoach said, let's get the language in there. Mr. Griffin said, may I suggest since we're already at—, in the process of processing the document in Washington, an option would be to go ahead and move that this body agree to incorporate into the—, your resolution the

language that I'm talking about. Commissioner DeLoach said, yes. Chairman Hair said, Ms. Jennings, that satisfies all the stakeholders here? Mr. Griffin said, but consider—, that would consider it—, we could immediately send a message that subject to that language this body agrees with the—. Chairman Hair recognized Mr. Peeples.

Mr. Peeples said, I've been around [inaudible], the Corps of Engineers. I personally hold more permits than the Georgia Ports Authority does. I've got to tell you one thing. You get that money rolling though Congress, they're going to dig this thing regardless. You take my word for that.

Chairman Hair said, thank you, Mr. Peeples, for your comment. Chairman Hair said, all right, we have—. Does everybody understand the motion? Okay, the language that Mr. Griffin, and Ms. Jennings said she supports that language. All right, now, let's call the question. All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Price, DeLoach and Thomas voted in favor of the motion. Commissioners Saussy, Rivers, Jackel, Murray and Odell voted in opposition. The motion failed by a vote of five to four. Chairman Hair said, the motion fails.

Commissioner DeLoach said, I can't believe you did that, Joe [Rivers]. Commissioner Jackel said, I think we need a break, Mr. Chairman. Commissioner Thomas asked, what happened here? Chairman Hair said, we don't need a break, we just need to finish the agenda. Commissioner Price said, I think we need to make sure it's understood that we're not opposed to the deepening of the harbor. Chairman Hair said, the vote stands. It's five to four.

Commissioner Rivers said, Mr. Chairman, that's why I raised my hand, but you were moving on. I'll ask for a reconsideration. Chairman Hair said, all right. You're on the winning side. Okay. All right, we have a motion to reconsider the previous vote. All those in favor of reconsideration will vote yes, opposed will vote not. The Clerk said, excuse me. Chairman Hair said, he was on the prevailing side. Chairman Hair and Commissioners Saussy, Rivers, Odell, Price, DeLoach and Thomas voted in favor of reconsideration. Commissioners Jackel and Murray voted in opposition. The motion carried by a vote of seven to two.

Chairman Hair said, now. Commissioner Price said, now, go ahead. Chairman Hair recognized Commissioner Rivers. Commissioner Jackel said, I want to see it in writing. Commissioner Price said, we need to hear this.

Commissioner Rivers said, I think some of the unreadiness here was over we knowing what was the language in that and that's one reason that I asked that y'all put it in there before we vote on it, so if you'll go back and put that language in there so that each one of these Commissioners could see that language in there I think you'll have a different vote. Chairman Hair said, well, the language was read by Mr. Griffin on two occasions. Commissioner Rivers said, but I haven't —, nobody haven't —. Commissioner Murray said, we want to see it in writing. Commissioner Saussy said, I'm not going to vote on something that I don't see. No way. Commissioner Rivers asked, Russ [Abolt], can we get a copy of that language, have it ran off and pass it to these nine Commissioners please? County Manager Abolt said, yes, sir. Commissioner Rivers asked, would you provide us with a copy—. County Manager Abolt said, we'll do it right now. Commissioner Rivers said, a copy of that.

Chairman Hair said, let's proceed with the agenda and come back to that item once we get those—. Commissioner Rivers said, right.

* * *

The following resolution was prepared and furnished to the Commissioners:

[INSERT]

Chairman Hair said, the Chair will entertain a motion.

Commissioner DeLoach said, so moved. Commissioner Price said, second. Chairman Hair said, we have a motion and a second. Chairman Hair and Commissioners Rivers, Price, DeLoach and Thomas voted in favor of the motion. Commissioners Saussy, Jackel, Murray and Odell voted in opposition. The motion carried by a vote of five to four.

ACTION OF THE BOARD:

1. Commissioner DeLoach moved that the Board adopt a resolution in support of the harbor deepening project by incorporating the wording to be furnished by the Georgia Port Authority. Chairman Hair and Commissioners Price, DeLoach and Thomas voted in favor of the motion. Commissioners Saussy, Rivers, Murray, Martin and Odell voted in opposition. The motion **failed** by a vote of five to four.
2. Commissioner Rivers moved that the foregoing vote be reconsidered. Chairman Hair and Commissioners Saussy, Rivers, Odell, Price, DeLoach and Thomas voted in favor of reconsideration. Commissioners Jackel and Murray voted in opposition. The motion for reconsideration carried by a vote of seven to two.
3. Commissioner DeLoach moved to approve the attached resolution in support of the harbor deepening project, which resolution contains the wording furnished by the Georgia Port Authority. Commissioner Price seconded the motion. Chairman Hair and Commissioners Rivers, Price, DeLoach and Thomas voted in favor of the motion. Commissioners Saussy, Jackel, Murray and Odell voted in opposition. The motion carried by a vote of five to four.

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6. 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.

- **JAIL MAINTENANCE - BUILDING MAINTENANCE MECHANIC (1 POSITION)**

Chairman Hair said, the Chair will entertain a motion to approve the 90-day hiring freeze—, to authorize Human Resources to advertise positions.

Commissioner Odell said, I make the move to approve. Chairman Hair asked, do I have a second? Commissioner Price said, second. Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Odell, Price, DeLoach and Thomas voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of eight to one. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Jackel moved to waive the 90-day hiring freeze and authorize Human Resources to advertise the following position: Jail Maintenance - Building Maintenance Mechanic (1 position). Commissioners Price and Thomas seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Odell, Price, DeLoach and Thomas voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of eight to one.

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X. ACTION CALENDAR

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

Chairman Hair said, I want to pull Item #10 and Item #15. Item #15 has been pulled at the request of the petitioner and will be back on the agenda on September 25th. Anybody else want to pull any items? Commissioner Jackel said, 11, 14, 15, 17—. Chairman Hair said, 15 is already pulled. Commissioner Jackel said, okay. Chairman Hair asked, anybody else. Commissioner Saussy said, K. Chairman Hair asked, J? Commissioner Saussy said, K. Chairman Hair said, K. Commissioner Jackel said, 10. Commissioner Thomas said, that's pulled. Commissioner Jackel asked, that's pulled? All right. Chairman Hair said, 10 is already pulled. I pulled—. If we just listen. I pulled 10 and 15. Commissioner Jackel said, okay. All right. Chairman Hair said, we just don't listen. Okay, anybody else want to pull anything. All right, the Chair will entertain a motion approve the balance of the Action Calendar. Commissioner Thomas said, so moved. Commissioner Rivers said, second. Chairman Hair said, motion and a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

[NOTE: Refer to the individual items pulled for discussion thereon.]

ACTION OF THE BOARD:

Commissioner Thomas moved that the Action Calendar be approved in its entirety with the exception of Items 10, 11, 14, 15 and 17-K. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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

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1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON AUGUST 14, 1998, AS MAILED.

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the minutes of the regular meeting on August 14, 1998, as mailed. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD AUGUST 6, 1998, THROUGH AUGUST 19, 1998.

ACTION OF THE BOARD:

Commissioner Thomas moved that the Finance Director is authorized to pay claims for the period August 6, 1998, through August 19, 1998, in the amount of \$6,875,023. Commissioner Rivers seconded the motion and it carried unanimously.

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- 3. REQUEST FROM CLYDE AND PENNY RHINES, 1416 FORSYTHE ROAD, FOR EARLY ACQUISITION OF THEIR HOME AS PART OF TRUMAN PARKWAY III.
[DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Thomas moved to approve a request from Clyde and Penny Rhines, 1416 Forsythe Road, for early acquisition of their home as part of Truman Parkway III. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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- 4. REQUEST FROM ENGINEER REPRESENTING THE DEVELOPER, THAGGARD ENTERPRISES, FOR THE COUNTY TO APPROVE RECORDING OF THE FINAL PLAT FOR CROMWELL PARK SUBDIVISION, PHASE 2, ACCEPT THE FINANCIAL GUARANTEE AND RECOMBINE THE SUBDIVISION INTO AN EXISTING STREETLIGHTING DISTRICT.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Thomas moved to approve a request from engineer representing the developer, Thaggard Enterprises, for the County to approve recording of the final plat for Cromwell Park Subdivision, Phase 2, accept the financial guarantee and recombine the subdivision into an existing Streetlighting District. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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- 5. REQUEST BOARD APPROVE A MEMORANDUM OF AGREEMENT WITH THE FEDERAL HIGHWAY ADMINISTRATION, GEORGIA STATE HISTORIC PRESERVATION OFFICE AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION FOR THE SKIDAWAY ROAD WIDENING PROJECT.
[DISTRICTS 1 AND 3.]**

ACTION OF THE BOARD:

Commissioner Thomas moved to approve a Memorandum of Agreement with the Federal Highway Administration, Georgia State Historic Preservation Office and the Advisory Council on Historic Preservation for the Skidaway Road Widening Project. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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- 6. REQUEST BOARD ENDORSE A PLAN BY THE GEORGIA BUREAU OF INVESTIGATION FOR REGIONAL MEDICAL EXAMINERS. THE PLAN INCLUDES A COASTAL REGIONAL MEDICAL EXAMINER/ TOXICOLOGY ANNEX IN CHATHAM COUNTY.**

ACTION OF THE BOARD:

Commissioner Thomas moved to endorse a plan by the Georgia Bureau of Investigation for regional medical examiners, which includes a Coastal Regional Medical Examiner/Toxicology Annex in Chatham County. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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- 7. REQUEST BOARD APPROVE CHATHAM COUNTY'S PARTICIPATION IN THE SAVANNAH-CHATHAM WORK COLLABORATIVE.**

ACTION OF THE BOARD:

Commissioner Thomas moved to approve Chatham County's participation in the Savannah-Chatham Work Collaborative. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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- 8. REQUEST FROM THE SHERIFF FOR THE BOARD TO APPROVE THE EXPENDITURE OF REIMBURSABLE MONIES TO ACQUIRE AND OUTFIT TWO VEHICLES FOR USE BY THE GEORGIA STATE PATROL K-9 OFFICERS IN COOPERATION WITH CHATHAM COUNTY'S K-9 PROGRAM, WITH ANY REMAINING FUNDS TO BE USED BY THE CHATHAM COUNTY K-9 TEAM.**

ACTION OF THE BOARD:

Commissioner Thomas moved to approve a request from the Sheriff for the Board to approve the expenditure of reimbursable monies to acquire and outfit two vehicles for use by the Georgia State Patrol K-9 officers in cooperation with Chatham County's K-9 program, with any remaining funds to be used by the Chatham County K-9 Team. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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- 9. REQUEST FROM THE SHERIFF FOR THE BOARD TO APPROVE AND FORMALLY ACCEPT THE AWARDED GRANT OF \$500,000 FROM THE 1998 EDWARD BYRNE MEMORIAL DRUG CONTROL AND SYSTEM IMPROVEMENT FORMULA GRANT PROGRAM ENABLING THE SHERIFF'S DEPARTMENT TO CONTINUE TO OPERATE AND IMPROVE THE REGIONAL K-9 UNIT.**

ACTION OF THE BOARD:

Commissioner Thomas moved to approve a request from the Sheriff for the Board to approve and formally accept the awarded grant of \$500,000 from the 1998 Edward Byrne Memorial Drug Control and System Improvement Formula Grant Program enabling the Sheriff's Department to continue to operate and improve the Regional K-9 Unit. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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- 10. REQUEST BOARD APPROVE A PROPOSAL FROM STATE COURT TO ALLOW FOR AMENDMENT OF THE EXISTING JIMS CONTRACT AND THEREBY PROVIDE A COMPLETE STATE COURT FINES COLLECTION PROGRAM IN "Z" AND ALLOW THE CLERK TO ENGAGE THE SERVICES OF A CREDIT CARD VENDOR FOR THE PURPOSE OF FINES COLLECTIONS. NOTE: PLEASE PULL FOR INDIVIDUAL DISCUSSION.**

Chairman Hair recognized Mr. Carlton Blair.

Mr. Blair said, Mr. Chairman, Dr. Thomas, and gentlemen, thank you very much for giving me the opportunity—. What I'm asking for in that particular request is that you allow us to initiate a change order request for the folks who are doing the JIMS rewriting in our compute program to also include a fines collection module that will mesh everything together and tie it so we can actually progress through the fines collection process. We've been trying to do this—, we've been attempting this for the last eight years, have yet to do it one single way. We have about five programs we're using, and we're just not able to keep up with what's out there to collect. So with your approval we will be able to put this all together and make it very, very effective for us. The fines collection we expect this year to be running very close to a million dollars, and there's something like 9,000 cases that we're trying to collect money on and it's very difficult to keep track of that with five programs, each requiring individual action.

Chairman Hair asked, any questions of Mr. Blair?

Commissioner Jackel said, I just want to tell him that I read this over and I'm very impressed with what y'all have been doing and the money you have collected for us. That's wonderful.

Chairman Hair said, the Chair will entertain a motion. Commissioner DeLoach said, Carlton [Blair] does a good job. I'll make the motion. Commissioner Jackel said, and I'll second. Chairman Hair said, we have a motion and a second. Any further discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Price was not present.]

Mr. Blair asked, may I have one more second before I go? Chairman Hair said, you've already won now. Don't take it back. Don't take your vote back. Commissioner Murray said, we're going to have to bring that chair back in again if you—. Mr. Blair said, oh, my goodness, don't do that. I gave y'all today a memo talking about the kinds of things that we're about to do in the

State Court or in the courts with respect to providing public access via the Internet. Chairman Hair said, okay. Mr. Blair said, these are concerns that we have that I think y'all would be interested in, and I was happy to present that to you. Chairman Hair said, thank you, Mr. Blair.

Commissioner Odell said, one last quick point. Carlton [Blair], have you met with the other Clerks to see if they could do a consolidation so that they all would have? Mr. Blair said, this is—, I'm happy to tell you that what we're talking about is a thing that will be on the Internet that will be called www.chathamcourts.org and it encompasses all the courts, and so you go there and you ask something and you'll get all the information of all the courts that want to participate.

Chairman Hair said, thank you, Mr. Blair.

ACTION OF THE BOARD:

Commissioner Odell moved to approve a proposal from State Court to allow for amendment of the existing JIMS contract and thereby provide a complete State Court Fines Collection Program in "Z" and allow the Clerk to engage the services of a credit card vendor for the purpose of fines collections. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Price was not present.]

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11. REQUEST BOARD APPROVAL OF A LEASE AGREEMENT MODIFICATION BETWEEN THE SAVANNAH HOCKEY AND SKATING ASSOCIATION AND CHATHAM COUNTY.

Commissioner Jackel asked, item what? Commissioner Odell said, 11. Chairman Hair said, Item #11. You pulled it. Commissioner Jackel said, I must have pulled that by mistake. Commissioner Murray said, I move for approval. Chairman Hair said, Chair will—, we have a motion to approve. Commissioner Thomas said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.]

ACTION OF THE BOARD:

Commissioner Thomas moved to approve a lease agreement modification between the Savannah Hockey and Skating Association and Chatham County. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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12. REQUEST BOARD APPROVE AN INTERGOVERNMENTAL AGREEMENT WITH THE SAVANNAH/ CHATHAM COUNTY BOARD OF EDUCATION FOR THE DEVELOPMENT OF THE WHITEMARSH ISLAND COMMUNITY CENTER ON THE CAMPUS OF THE ISLANDS MIDDLE SCHOOL. [DISTRICT 4.]

ACTION OF THE BOARD:

Commissioner Thomas moved to approve an intergovernmental agreement with the Savannah/Chatham County Board of Education for the development of the Whitemarsh Island Community Center on the campus of the Islands Middle School. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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13. REQUEST BOARD APPROVAL TO AUTHORIZE CHAIRMAN TO SIGN CONSENT ORDER FROM EPD CONCERNING THE SAVANNAH PORT AUTHORITY WATER SYSTEM.

ACTION OF THE BOARD:

Commissioner Thomas moved to authorize the Chairman to sign a consent order from EPD concerning the Savannah Port Authority water system. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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14. REQUEST BOARD APPROVAL FOR EDUCATIONAL PROGRAM ON OPEN BURNING.

Commissioner Jackel said, I'm in favor of us educating the public about the dangers of burning yard waste, but I want to see if we can't move forward to elimination of all open burning except that's necessary for construction. This is a step in the right direction, but it's—, I think we need to take a bigger step.

Chairman Hair said, well, I really don't think that item's on the agenda today. I agree with you, I think—. Commissioner DeLoach said, that is a crime. That educational program is to show them how to burn those leaves. Chairman Hair said, I don't disagree with that, Commissioner Jackel. I just think today is not the—. If you want to put it on the agenda next Board meeting, that's fine. Commissioner Jackel said, well, we may. Chairman Hair said, okay.

Chairman Hair said, the Chair will entertain a motion. Commissioner Jackel said, I'll move to approve. Commissioner Thomas said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.]

ACTION OF THE BOARD:

Commissioner Jackel moved to approve an educational program on open burning. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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15. REQUEST FOR NEW BEER AND WINE POURING LICENSE FOR 1998. PETITIONER: MATTHEW K. STARLING, D/B/A BONA BELLA MARINA, LOCATED AT 2740 LIVINGSTON AVENUE. NOTE: APPLICANT HAS REQUESTED ITEM BE DEFERRED UNTIL SEPTEMBER 25, 1998. [DISTRICT 3.]

ACTION OF THE BOARD:

This item was pulled from the agenda at petitioner's request and rescheduled for September 25, 1998.

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16. REQUEST TO ADD SUNDAY SALES OF BEER, WINE AND LIQUOR POURING FOR 1998. PETITIONER: ALEXANDER LEE BRYANT, D/B/A CHEER'S BAR & GRILL, LOCATED AT 4001 OGEECHEE ROAD. [DISTRICT 5.]

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the request of petitioner Alexander Lee Bryant, d/b/a Cheer's Bar & Grill, located at 4001 Ogeechee Road, to add Sunday Sales of beer, wine and liquor pouring for 1998. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. Confirmation of two emergency sole-source purchases to replenish parts inventory	ICS	• Microwave Radio • Sunrise Sierra	• \$20,130 • \$10,145	Reserve for Insurance Deductibles
B. First renewal option to contract for fire extinguisher inspection services	Various Departments	Savannah Fire and Safety	\$9,839	•General Fund/M&O - Various Departments •SSD-VariouS Departments
C. Final renewal option on uniform rental contract	Various Departments	Aramark Services	Varies	•General Fund/M&O - Various Departments •SSD-VariouS Departments
D. First renewal to contract for door mat rental	Various Departments.	Riverside Uniforms	\$10,419.24	•General Fund/M&O - Various Departments •SSD-VariouS Departments
E. Change Order No. 2 to remove six large trees, Tara Avenue paving project	SPLOST	APAC-Georgia	\$3,643	SPLOST (1985-1993) - Various County Roads, Tara Avenue
F. Change Order No. 11 for design of dikes in the DMCA	Engineering	GeoSyntec	\$32,535	General Fund/M&O Harbor Maintenance (100% reimbursable by GDOT)

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
G. Change Order No. 2 to the contract for Right-of-Way Acquisition Services (Pine Barren Wastewater Treatment Facility)	Engineering	Moreland Alltobelli Associates	\$3,250	Water and Sewer Enterprise Fund
H. Change Order No. 4 to the contract for Engineering Services for Westlake Outfall Drainage Improvements	Engineering	EMC Engineering	\$368,454	1998 Drainage CIP
I. Change Order No. 2 for change in scope of engineering services on Wilmington Park Canal Project	Engineering	Thomas & Hutton Engineering	\$270,000	1998 Drainage CIP
J. Change Order No. 2 to the contract for custodial services to add Board of Equalization	Building M&O	Basic Cleaning Company	\$440/month (\$5,280/year) FY 98 impact will be \$1,760	General Fund/M&O - Building Maintenance and Operations
K. Annual contract, with option to renew two additional years, for janitorial services at Paul Anderson/ Howard Cohen Weightlifting Center	Building M&O	MC Consultants	\$18,936.72	General Fund/M&O - Building Maintenance and Operations
L. Change Order No. 2 for engineering services for the Louis Mills Drainage Improvement Program	Engineering	Thomas and Hutton	\$117,000	1998 Drainage CIP
M. Confirmation of Change Order No. 1 for additional work required to complete Runaway Point Park	Engineering	H. P. Davis, Inc.	\$5,908	SPLOST (1993-1998) - Runaway Point Park Project
N. Change Order No. 2 to contract for Ferguson Avenue Drainage Project for engineering and testing services	Engineering	Aspinwall & Carter Engineering	\$20,000	SPLOST (1993-1998) - Ferguson Ave. Drainage Project
O. Confirmation of emergency contract for preparing a wetland mitigation plan for the Hutchinson Island Interchange and Boulevard project	SPLOST	Environmental Services, Inc.	\$19,500	SPLOST (1993 - 1998) Hutchinson Island Interchange (pending transfer)
P. Contract to install new water service laterals to 166 existing customers	Water and Sewer	Collins Plumbing and Construction Company	\$146,067	Water and Sewer Enterprise Fund
Q. Contract to pave Central Avenue (east), Smith Drive, Cherokee Avenue and Saussy Avenue	SPLOST	ARCO, Inc.	\$554,530	SPLOST (1993-1998) - Unincorporated Roads

Items 17-A through 17-Q, except 17-K:

Commissioner Thomas moved to approve Items 17-A through 17-Q, except Item 17-K. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

Item 17-K:

Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy said, I've still got a problem with this. I think Michael Cohen's doing a wonderful in what he's doing, but this, this is still a conflict of interest and I don't understand why it went up \$1,000 from the last bid, and why is there such a disparity in the bids from \$18,000 to \$81,000. Is Michael [Cohen] not putting in things that he's supposed to be doing or what? This just is beyond me. I don't understand. Chairman Hair said, I totally agree with you, Commissioner Saussy. I've got some serious problems with it. Commissioner Saussy said, I do not understand. Chairman Hair said, I've got some real problems with it. Go ahead, Mr. Lynch.

Mr. George Lynch said, sir, in response to your question, the specifications were responded by Michael Cohen just as the others did. In other words, they are responsive to the requirements that were in the specification. I think we get back in terms of the very large differences to the fact that a lot of the cleaning that has to take place out there does involve moving weights and rather heavy ones. Commissioner Saussy said, I thought we cleared that up before that the weights should have been put up by the weightlifters. Chairman Hair said, yes, we've already dealt with that issue. Mr. Lynch said, sir, I agree with you that that would be good, but there's still—, I think that is a concern. In terms of why did the bid go up by about \$1,300 above what would have occurred if it had been a renewal, I think they went through, took a look at what their costs were going to be and bid \$1,300 higher.

Chairman Hair said, Commissioner Saussy, if you've like to make a motion, I'll be glad to entertain it. Commissioner Saussy said, I look at the situation it's just like if, for instance, if Eddie [DeLoach] and I were in the construction business and I'm sitting on—, and I'm doing a job for the County or something and I'm on the County payroll, which basically Michael [Cohen] is, and I go out and I say, well, I want to clean up this job and my company's going to do this janitorial service for these people, it's the same situation. It's a conflict of interest, and I just—, I really can't see that we can do that. I certainly don't want to pay \$18,000 more, but I just—, you know, if it's a situation of where the weights have to be off the floor, then by golly Team Savannah needs to have the weights off the floor every day. If that's the difference in the price. Commissioner DeLoach said, it's not that. Well, out there is not whether Team Savannah leaves them out, it's where the general public leaves them out because they're also out there. I mean, my son goes there and—. Commissioner Saussy said, well, then the general public. Commissioner DeLoach said, but they don't. I mean, just—. I know. It's great to say that, but it doesn't happen. Commissioner Saussy said, well, then it—. Commissioner DeLoach said, they throw everywhere and—. Commissioner Saussy said, well, I can understand that, but if they're going to use the facility, then by golly they've got to put the weights up. Just like you put—. Commissioner DeLoach said, I'm not arguing the point. I'm just telling you it doesn't happen. Commissioner Saussy said, well, I know, but something's got to be done about it.

Chairman Hair said, okay, I'll entertain a motion. Either except or reject. Who wants to make a motion. Commissioner DeLoach said, I make a motion we accept it. Chairman Hair said, I have a motion to accept. Do I have a second? No second. Commissioner DeLoach asked, comment? Chairman Hair asked, do we have a motion to reject? Commissioner Jackel said, I want to know more about it. Commissioner DeLoach said, well, let's—, then let me ask this. Chairman Hair said, you got no second, so do we have a motion to reject the bid?

Commissioner Jackel said, I move to table. Chairman Hair said, we have a motion to table. Commissioner Price said, second. Chairman Hair said, second. Commissioner Odell said, I'll second. Chairman Hair said, all those in favor to table vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

Commissioner DeLoach said, let me ask—, can I ask something about that? Will it be okay? Chairman Hair said, the motion to table is not debatable, Commissioner DeLoach. That's why I didn't recognize you. Commissioner DeLoach said, I don't mind, I don't mind. I just was curious. Does the contract continue on like it is then until we do vote on it? Mr. Lynch said, I would recommend that we go ahead and continue the contract for an additional period so we have ongoing stuff until the Board reaches a decision, with your permission.

Chairman Hair said, I agree, but I also think we need to—, from staff we need a recommendation. Since we didn't have the vote to do that I think we need to come back. Maybe even say take the second lowest bid or whatever. Mr. Abolt said, no, no. No, sir. You would, no, sir. Chairman Hair said, we rejected the bid. You've got to rebid it. County Manager Abolt said, you either accept or reject. Chairman Hair said, so we reject the bid? County Manager Abolt said, you accept or reject. Chairman Hair said, we've got to rebid it? [Unintelligible comments when several individuals were speaking at the same time. Chairman Hair said, we just tabled it. County Manager Abolt said, when you ask for alternatives on the bid, you've either got to accept the bid or reject the bid. Chairman Hair said, okay.

Commissioner DeLoach asked, can I finish up? Chairman Hair said, yes, sir. Chairman Hair recognized Commissioner DeLoach. The only thing I wanted—, I mean, I understand your comment David [Saussy]. I see your point, but if there's a choice between an \$18,000 and \$81,000, it's not real hard. I mean—. Chairman Hair said, 36. It's not—. Commissioner DeLoach said, well, 36. Whatever, I thought they'd already won. Well, even 36. I mean, the guys keeping it clean, he's doing the job, and it's \$18,000. I mean, let's go figure. It's not hard. You can vote on it one way or the other. I mean, you come back and do it again, but you're going to get one that says \$18,000 and you're going to get one that says \$36,000. What have you done? I mean, you made a point and I disagree with it, but--.

Commissioner Saussy said, well, the point—, the point is if it comes down to the situation of putting the weights up—. Chairman Hair said, it's going to be debated. Commissioner Saussy said, when you hire somebody for—. Commissioner DeLoach asked, for what? Okay, so they put the weights up and then you get—, you pay somebody to put the weights up and then you hire somebody to come in there and do it for \$18,000. Well, you've added the cost of putting the weights up.

Chairman Hair asked, can I suggest that we debate this at the next meeting. It's already been tabled and we'll come up for a full discussion at the next meeting. Commissioner Rivers said, you put your owns up.

ACTION OF THE BOARD:

1. Commissioner Thomas moved to approve Items 17-A through 17-Q, except Item 17-K. Commissioner Rivers - seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]
2. Commissioner Jackel moved to table to the next meeting Item 17-K. Commissioners Price and Odell seconded the motion and it carried unanimously.

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XI. FIRST READINGS

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

None.

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XII. SECOND READINGS

1. AMEND THE FACTORY BUILT HOUSING ORDINANCE TO ALLOW THE LOCATION OF NON-CERTIFIED DWELLINGS INTO THE UNINCORPORATED LIMITS OF CHATHAM COUNTY.

Chairman Hair said, the Chair will entertain a motion. Commissioner Murray said, I'll move for approval with some discussion. Chairman Hair said, okay. Do we have a second? Commissioner Thomas said, second. Chairman Hair said, second. Okay. Chairman Hair recognized Commissioner Murray. Commissioner Jackel asked didn't we do 17-M. Chairman Hair said, I didn't. If you want to—. It can be reconsidered. [Inaudible.] Chairman Hair said, well, it can be, unless you're on the prevailing side. Commissioner Rivers asked, which one? Chairman Hair said, we're on the Second Readings. Commissioner DeLoach said, thank you. Catch up, man. Chairman Hair said, if people would just pay attention we can stay up, okay. Commissioner Murray is recognized. Well, I get tired of saying the same thing 14 times. Commissioner Murray is recognized to discuss the first item under Second Readings, Amend the Factory Built Housing Ordinance to allow the location of non-certified dwellings into the unincorporated limits of Chatham County. Commissioner DeLoach asked, which one are we on now? Which one? Commissioner Price said, be quiet. Just sit back and be quiet.

Commissioner Murray said, my question about this is what is a factory built housing? Commissioner Jackel said, a mobile home. Commissioner Murray said, I mean, I really need to know that because in what I was told a while back about factory built, what I understand factory built is, then I have a real problem with it, but I think we need a definition of factory built housing. What is that? Mr. Nicholas Gadzekpo, Assistant Director of Inspections, said, Mr. Chairman and Board of Commissioners, the County ordinance has a definition for factory built housing, which is housing that has been built in a manufactured plant and certified by either the DCA or the federal government. Commissioner Murray said, okay. Now what's the difference between factory built housing and manufactured housing? Mr. Gadzekpo said, there's really not any significant difference. It's just the use of different terminology. They're all the same. Commissioner Murray said, all right. The reason I bring this up, and I know it's a dead horse, but there's a dead horse on Wilmington Island. Commissioner DeLoach said, it's got a roof on it too. Commissioner Murray said, and it has a roof on it, and it's not built in somebody's back yard. It was built by a manufacturer, but I'm being told it's not manufactured housing, and that's why I [inaudible] the same ordinance about moving trailers from 1976 out. So, that's why I don't think this is going to work because I think there's too much disagreement on how—, how it's—.

Chairman Hair asked, any further discussion? We have a motion and a second to approve it. All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Jackel, Odell, Price, DeLoach and Thomas voted in favor of the motion. Commissioners Saussy and Murray voted in opposition. The motion carried by a vote of seven to two.

Commissioner DeLoach said, all right, discussion. Chairman Hair said, I asked if there was any more discussion. The motion passes.

The Clerk said, Commissioner Murray, you made the motion. You cannot vote against your own—. I sure can. You can't tell me how I can vote. The Clerk said parliamentary-wise, the maker cannot vote against their own motion—. Commissioner Murray said, I don't care about parliamentary procedure. Chairman Hair said, well, we need to be—. Commissioner Murray said, I'll withdraw the motion then. Commissioner Price said, it's already voted on. Chairman Hair said, you can't withdraw if it's already—. Commissioner Murray said, I don't need to be sitting up here then if somebody can tell me I can't do this and I can't do that. I can't vote—. Chairman Hair said, well, we've just got to—, there is a right way to do it. Commissioner Murray, you can vote any way you want to. Commissioner Murray said, I just did. I voted no. Chairman Hair asked, is that legal? County Attorney Hart said, I don't think it affects the outcome, but the vote may not count. But it does not affect the outcome. Chairman Hair asked, is it fine? Commissioner Price said, then let's go on. Chairman Hair asked, is it legal? That's fine.

ACTION OF THE BOARD:

Commissioner Murray moved to approve an amendment to the Factory Built Housing Ordinance to allow the location of non-certified dwellings into the unincorporated limits of Chatham County. Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Rivers, Jackel, Odell, Price, DeLoach and Thomas voted in favor of the motion. Commissioners Saussy and Murray voted in opposition. The motion carried by a vote of seven to two.

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2. MPC WAS REQUESTED BY CHATHAM COUNTY TO AMEND SECTION 2-28 OF THE "HOME OCCUPATION" DEFINITION, TO PROVIDE MORE SPECIFIC STANDARDS DEALING WITH HOME OCCUPATIONS. THE MPC RECOMMENDED APPROVAL.

Chairman Hair said, the Chair will entertain a motion. Commissioner Jackel said, so moved. Chairman Hair said, I have a motion, do I have a second? Commissioner Odell said, I'll second. Chairman Hair asked, any discussion? Commissioner Murray said, well, yes, there again—. Commissioner DeLoach said, I don't know. I don't want to get into the thing.

Commissioner Murray said, yes, there is discussion because I think in that it was done because of the factory built housing. Is that correct, or manufactured housing, whichever way you want to say it. Isn't that right? Mr. Bill Saxman said, well manufactured housing by Code is basically a HUD-certified house. An industrial built house is the other type of housing that is brought in. One of them is certified by HUD, the other one is certified by the State, it meets the State Building Code. Industrialized housing meets the State Building Code. A HUD house is a manufactured house and meets the—. Commissioner Murray asked, what is a trailer that's manufactured by—. Mr. Saxman said, if it meets the State Building Code Standards, it would be an industrialized house. Commissioner Murray asked, well, why wouldn't that fall within the same County ordinance we have about the year the trailers are made? Mr. Saxman said, they're different technologies. One—, a HUD-certified house is a mobile home, but what we—. Commissioner Murray asked, well, won't they still have electrical wiring in them? Mr. Saxman said, they're different standards than a HUD house. Now, Inspections can address that better than I can, but basically industrialized housing is served by both State—. Commissioner Murray said, in my opinion it's another way to get around for certain people to be able to do certain things, and it's not right. And I'm not complaining with you, I just—, I have a real problem with it, and I'm probably the reason this has all been brought up. I have a problem with the way it's being done and I have a problem with the way our enforcement's being done, and it depends on who the person is or who knows who, and that is what's taking place right now, in my opinion.

Chairman Hair said, okay. Any further discussion? All right, all those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Jackel, Odell, Price, DeLoach and Thomas voted in favor of the motion. Commissioners Saussy and Murray voted in opposition. The motion carried by a vote of seven to two. Chairman Hair said, the motion passes. Commissioner Murray said, I didn't make that motion. The Clerk said, I know. Chairman Hair said, I hope you can vote.

ACTION OF THE BOARD:

Commissioner Jackel moved to amend Chatham County Code Section 2-28, the "Home Occupation" definition, to provide more specific standards dealing with home occupations. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Rivers, Jackel, Odell, Price, DeLoach and Thomas voted in favor of the motion. Commissioners Saussy and Murray voted in opposition. The motion carried by a vote of seven to two.

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XIII. INFORMATION CALENDAR

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

ACTION OF THE BOARD:

Report received as information.

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

ACTION OF THE BOARD:

Report received as information.

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3. STATUS ON REVIEW OF PERMANENT BAND SHELL OPTIONS.

ACTION OF THE BOARD:

Report received as information.

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4. MONTHLY ROAD AND DRAINAGE BRIEFING (AL BUNGARD, ROBERT DREWRY).

ACTION OF THE BOARD:

Report received as information.

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EXECUTIVE SESSION

Commissioner Jackel moved that the Board recess to go into Executive Session for the purpose of discussing personnel, litigation, and land acquisition. Commissioner Odell seconded the motion and it carried unanimously.

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

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ITEMS FROM EXECUTIVE SESSION

- 1. **REQUEST BOARD APPROVE THE FOLLOWING:**
 - A. **SETTLEMENT OF JOHN E. SUTHERS AND LINDA S. SUTHERS v. CHATHAM COUNTY, GEORGIA v. K. GORDON CROSS, D/B/A HIGHLAND CONTRACTING, INC., CIVIL ACTION NO. CV95-1075-MI.**
 - B. **SETTLEMENT NOT TO EXCEED \$8,420.68 FOR ALL CLAIMS OF EMMETT G. AND FLORENCE K. NESBIT ARISING FROM VEHICLE ACCIDENT WITH SHERIFF'S DEPARTMENT EMPLOYEE, MICHAEL STREET, ON APRIL 18, 1998.**
 - C. **CONFIRMATION OF EASEMENT AGREEMENT WITH SEPCO FOR EXTENSION OF UTILITIES TO HUTCHINSON ISLAND.**

ACTION OF THE BOARD:

Commissioner Rivers moved to approve: (a) Settlement of *John E. Suthers and Linda S. Suthers v. Chatham County, Georgia v. K. Gordon Cross, d/b/a Highland Contracting, Inc.*, Civil Action No. CV95-1075-MI; (b) Settlement of all claims of Emmett G. and Florence K. Nesbit arising from a vehicle accident with Sheriff's Department employee, Michael Street, on April 18, 1998; and, (c) Confirmation of easement agreement with SEPCO for extension of utilities to Hutchinson Island. Commissioner DeLoach seconded the motion and it carried unanimously.

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ADJOURNMENT

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned approximately 1:30 p.m.

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APPROVED: THIS _____ DAY OF _____, 1998

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

SYBIL E. TILLMAN, COUNTY CLERK