

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON JANUARY 28, 2000, 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, January 28, 2000.

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**II. INVOCATION**

Chairman Hair 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  
Joe Murray Rivers, District Two  
Martin S. Jackel, District Three  
Harris Odell, Jr., District Five  
Ben Price, District Six  
Eddie W. DeLoach, District Seven

ABSENT: David L. Saussy, District One

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

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**YOUTH COMMISSIONERS**

Chairman Hair said, I'd like to introduced our Youth Commissioners who are with us this morning. We have Brooke Fortson, who is a Youth Commissioner from Savannah Runaway Home, 11<sup>th</sup> grade at Country Day School. We're glad to have you Brooke. Joseph Geffen, did I get that right, Joe? Mr. Geffen said, uh huh. Chairman Hair said, Youth Commissioner from Jewish Educational Alliance. He's in the 11<sup>th</sup> grade at Savannah Country Day, and we have Katie George, who's in the 11<sup>th</sup> grade at Savannah Christian. We appreciate y'all being here this morning and as we go through

the deliberation, if you'd like to make any comment or ask any questions, raise your hand and I'll recognize you. We appreciate your being here.

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## **RECOGNITION OF GUESTS**

Chairman Hair said, it's also my honor this morning to introduce an old friend of mine who has —, Coy Hodges. Coy, why don't you come on up. Coy [Hodges] is the —, Dr. Coy Hodges. Coy [Hodges] and I served together when I was President of Savannah Tech, he was President of Griffin Tech and still is President of Griffin Tech. He's also the Interim President of Savannah Tech while they're going through their presidential search out there, and —, and, Coy [Hodges], it's a pleasure to see you again. Coy [Hodges], and I hope he doesn't tell all the golf stories. He might tell the eclipse story, but we go way back and we're very fortunate to have Coy [Hodges] in our community. He's got a little place down here south of us down here, so we might get him permanently hopefully to this area. So, Coy [Hodges], welcome.

Dr. Hodges said, thank you, Chairman Hair, and Billy [Hair] and I do go way back. We did play golf one day when they had a full eclipse, a solar eclipse, and it didn't hurt his game that much. I owe Dr. Hair a great favor. I played with him several times and I told some people after that that if I played as badly as Billy [Hair] I would quit golf, and then a couple of months later we played again and he beat me, and I gave the game up. But it's an honor to be recognized by the Commission. It's a great privilege to be in the great City of Savannah and Chatham County. It's a beautiful historical city. I grew up in Reidsville, Georgia, and I had the opportunity back in those days in my youth my family would come down and it was always nice. At that time we shopped on Broughton Street. I attended the Economic Outlook Luncheon the other day and things are looking great for Savannah. It really is, and I attended the Dollartree [phonetic] announcement and groundbreaking, and I commend this County and City on what y'all are doing on Economic Development. As an outsider coming in and look, you have your act together, and to be able to put that deal together in the way it was put together, this speaks well of the vision that you have, and in that vision I can assure you that if Savannah Tech Division is to be a world-class [inaudible], we want to be a major player in the workforce development and having the high skill, high tech people to take these jobs, and if all comes to pass, Savannah Tech is going to be a shining star in the community. We owe a lot to Dr. Hair and he's very important in the history of Savannah Tech. There's a lot of renovations going on out there. We hope to have some good things to show you in a few months. The Governor has recommended an \$8 million expansion of the Occupational Building, about 60,000 square feet. There's a proposed campus addition over in Liberty County that Savannah Tech will manage, and there's some plans for a new entrance, and if you've been out there you know that it's really something that needs to be done. So thank you again, and I look forward to being in your community. I don't know how long it takes for these searches. I haven't asked, but I enjoy being here and I look forward to meeting y'all at various events. Thank you.

Chairman Hair said, thank you, Coy [Hodges]. I want to assure you that if there's anything we can do to make you successful, please don't hesitate to call on us. Dr. Hodges said, thank you. Chairman Hair said, we're glad to have you with us. Chairman Hair said, I'll tell you one final Coy [Hodges] story. I used to stop at his house when I was up in Atlanta and I'd spend the night at Coy's house and we'd play golf, and I always thought that I was in better shape than he was so every morning we'd get out and we'd want to go jogging. So we'd jog around the golf course, he lives on the golf course in Griffin, and after about the third hole, man, I was panting and Coy [Hodges] was just —, he was about a hole ahead of me, so I quit teasing him about that I was in better shape than he was after that. So he taught me a lesson. Commissioner Rivers said, get your clubs, Billy [Hair], and take him out. We've got some different courses. Chairman Hair said, he didn't tell you, he's also a sailor. He's big into sailing.

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## **V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

- 1. TO PRESENT TO THE BOARD A "NEWS RELEASE" - CHATHAM COUNTY, GEORGIA, HAS BEEN AWARDED THE HIGHEST AWARD IN FINANCIAL REPORTING FOR THE SIXTEENTH CONSECUTIVE YEAR FOR THE 1998 COMPREHENSIVE ANNUAL FINANCIAL REPORT.**

Chairman Hair said, we have a news, I think, that for the 16<sup>th</sup> consecutive year we've been awarded, I believe, an award for our financial report. Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, comprehensive annual financial report and Mr. Persaud and Mr. Tindol, our external auditor. This is again an accomplishment we do not take lightly when I bring it to your attention. Once the plaque has arrived, in fact to that top tier of plaques we will add it to the collection. This goes back to 1983, and to my recollection that was about the first year that the Government Finance Officers Association initiated this award. That coupled with the award we receive for our budgeting is no small accomplishment. It's due in large amount to the emphasis you give us for sound

financial management and our stewardship to the taxpayers, but also to Mr. Persaud and Mr. Tindol and their respective staffs.

Commissioner Price asked, where are you going to put it? County Manager Abolt said, we will make room.

Chairman Hair said, congratulate —. Commissioner Rivers asked, are we buying those things? County Manager Abolt said, no sir. Chairman Hair said, we earned them. County Manager Abolt said, yes sir. Chairman Hair said, we did it the old-fashioned way. County Manager Abolt said, I like that, yes sir, the old-fashioned way.

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**VI. CHAIRMAN'S ITEMS**

**1. CURTIS V. COOPER, SR., MEMORIAL GARDEN AT TRADE CENTER.**

Chairman Hair said, that takes us to the Commissioners' Items. The first is under my section. We've had a —, I've had a letter from the Trade Center Authority, and they have asked us to consider the possibility of having a memorial garden at the Trade Center named in honor of Dr. Curtis Cooper, who passed away recently. I don't think we need to take any official action today, but we just need to get a sort of consensus of the Commission that we would like to maybe pursue those lines, and remember also that in a couple of weeks we're going to have a special presentation here with Dr. Cooper's family and maybe we could also incorporate this at that same time. But without objection I will consider that we can proceed with the possibility of naming a memorial garden at the Trade Center for Dr. Cooper. Does anybody have any questions or comments? Commissioner DeLoach said, I think it would be great. Chairman Hair said, okay.

Commissioner Price asked, who would have to —, do we have final say on that? Chairman Hair said, I believe we do. I think we have to ultimately have final say. I think the letter came from —, to state that we should consider it, maybe consider it. Go ahead, Eddie [DeLoach].

Commissioner DeLoach said, I was going to say Pat Shay and them had requested that we look at that. Chairman Hair said, right. Commissioner DeLoach said, they were interested in doing this. I don't see any problem as long as we —. Commissioner Price said, I don't see any problem whatsoever. I'd just like to think that we would be able to approve it.

Chairman Hair said, yes. Well, I don't think there should be any problem, but as we go —, I just wanted to make sure that the Commissioners were aware of this and that we were proceeding along those lines. I do think it would be quite an honor for Dr. Cooper, one he certainly deserved.

**ACTION OF THE BOARD:**

Commissioners voiced no objection to the suggestion by the Trade Center Authority that a memorial garden at the Trade Center be named in honor of the late Dr. Curtis Cooper.

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**VII. COMMISSIONERS' ITEMS**

**1. ORGANIZATIONAL ITEM: ELECT A CHAIRMAN PRO TEM FOR 2000.**

Chairman Hair said, this is basically a housekeeping item that we have to take care of every year. Currently, of course, we have, I believe, Commissioner Murray serves in that position, and if we'd like to see him continue to serve in that position, I'll entertain a motion. Commissioner Thomas said, so moved. Commissioner DeLoach said, second. Chairman Hair said, motion and a second. Any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Saussy was not present.] Chairman Hair said, the motion passes. Commissioner Murray is now our Chairman Pro Tem for 2000. You get a big pay raise with that, Frank [Murray]. [NOTE: Laughter from the Commissioners.]

**ACTION OF THE BOARD:**

Commissioner Thomas moved to elect Commissioner Murray as Chairman Pro Tem of the County Commission for the year 2000. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present; Commissioner Murray abstained from voting.]

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### **VIII. TABLED/POSTPONED ITEMS**

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

1. **DISCUSSION OF OPTIONS AND STATUS OF IN-LINE SKATING AND HOCKEY RINK.**  
*Note: Tabled at meeting of January 14, 2000. Sent back to staff for options. Request keep on table until February 11, 2000.*

Chairman Hair said, under Tabled Items, we only have one and it's been requested that we leave that on the table for February 11<sup>th</sup>.

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

This item was not removed from the table for consideration by the Commissioners.

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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 TRANSFER OF \$100,000 FROM THE 1985-1993 SPLOST CONTINGENCY TO SR 307 FROM US 17 TO I-16; SPECIAL SERVICE DISTRICT AND CIP FUND BUDGET AMENDMENTS TO RECOGNIZE \$563,000 REVENUE FROM RESTRICTED INSPECTIONS FUNDS AND TO APPROPRIATE \$563,000 AS A TRANSFER TO THE CAPITAL IMPROVEMENT PROGRAM FUND FOR PARTIAL FUNDING OF RENOVATION OF THE AIR NATIONAL GUARD FACILITY; A GENERAL FUND M & O CONTINGENCY TRANSFER OF \$5,590 FOR PAYMENT OF THE ANNUAL ASSESSMENT TO PROPERTY OWNERS AND MEMBERS OF SOUTHCHASE PROPERTY ASSOCIATION, INC.; A SPECIAL SERVICE DISTRICT FUND CONTINGENCY TRANSFER OF \$25,000 FOR A MASTER PLAN FOR SITING TELECOMMUNICATIONS TOWERS. *Note: Staff is not prepared to advise on the legality of a moratorium on tower construction. This will be before the Board on February 11, 2000.***

Commissioner Price said, so moved. Commissioner Odell said, second. Chairman Hair said, I have a motion and a second. Chairman Hair recognized Commissioner Murray. The Clerk asked, did we have a second, I'm sorry? Commissioner Odell said, second. The Clerk said, thank you.

Commissioner Murray said, Russ, on this \$25,000 for a master plan for the telecommunications. County Manager Abolt said, yes sir. Commissioner Murray asked, what is that going to do? County Manager Abolt said, that is supposed to —, that is intended to give the Metropolitan Planning Commission, this body and the City Council of Savannah a fairly clear direction as to where there might either be gaps in the current tower coverage, where it is feasible beyond any doubt to co-locate and deal with a variety of technological issues that we've been lacking in the past and have had to err on the side of the applicant, having no other source to go to for our verification of the technology deficiencies. It's something that the MPC has wanted to have done for a while. I must note that this amount is not to exceed a figure of \$25,000. Hopefully it will be less than that. I was told by Mr. Newton's staff it will require almost five months to complete the study. There was a companion request with the staff, which we've referenced in the bold print, for the County Attorney and the City Attorney

of the City of Savannah to explore the possibility of a moratorium in the interim while the study is conducted. That request was received too late for an opinion at this meeting. We'll come back to you on the 11<sup>th</sup> of February with that. Commissioner Murray said, well, I guess that's going to be my next question, to the Attorney. Once all this study's done, you know, we went through this a couple of years ago and we weren't able to do anything about any of it and they were supposed to co-locate and very few did for all different reasons. Will we be able to have anything legally that we can do to control any of this?

County Attorney Hart said, well, we've got an ordinance that was passed, and at the time it was passed it was a pretty good ordinance because it was just a rapidly changing situation throughout the country. There's been about four or five amendments to that ordinance since that time trying to fix various items in this. The MPC's position in the matter that they would like to have this consultant that basically has done these ordinances throughout the country come in and look at what's been done here locally and try to tweak it and try to address the issues that you're concerned about. The existing tower owners are reasonably in favor of going forward with this study. The only real issue here is the moratorium issue. I've got a draft of some opinions and I talked with the City Attorney this morning and he wants us to forward a copy of our research on it to him because he wants to also look at it. We do have some concerns about how long we could put a moratorium in place since we already have an ordinance.

Commissioner Murray said, well, to follow up on that, right now with what we have, they are —, if I'm correct, and I think I am, they are not supposed to go in residential areas. Is that right? County Attorney Hart said, there —, the zoning classification for towers now, large signal towers, are —, and you have a first reading on one of those on rezoning, is R-T. It's an agricultural R-T rating. Yes, sir, that's correct. Commissioner Murray said, but yet we have several right on Wilmington Island and Whitemarsh Island areas that are right in residential areas. County Attorney Hart said, correct, correct, and some of —, most of those towers are —. Commissioner Murray said, I'm sure we've got some in other parts of the County too. County Attorney Hart said, some of those towers are, that you're seeing in the residential areas, are either on some type of municipal property or governmental entity property or some organization that may be exempt from the zoning requirements. Commissioner Murray said, my concern with this, and I think —, I don't have a problem with spending \$25,000 to do the study, but I don't want to spend \$25,000 to do a study and come back and say we can't do anything about it and so we're throwing the money away, and that's my question about it. Are we going to have anything we can do once this study is done or are we just spending money to satisfy some people? County Attorney Hart said, well, it's a statute that I believe the consultants are going to come back and have some positive recommendations about the control issues. The problem with regulating the tower situation is that it also falls under FCC regulations and some federal acts and to a certain extent local zoning ordinances can't —, for example, cannot preclude towers. So there are limits to the extent that we're going to be able to regulate towers because the federal law says that in order to have a nationwide communication system, you have to permit towers within certain zoning classifications. Now you can limit those as long as the restrictions are reasonable, and therein lies the problem. What may be reasonable to us may be deemed unreasonable by the FCC. So it's sort of a balance situation, but it should tighten up the ordinance, yes sir.

Commissioner Murray said, my last question. When we went through all this process —, what was it, a year and a half, two years ago, whenever we went through all of it. County Attorney Hart said, a good two years ago. Commissioner Murray said, I thought then there was supposed to be a study done, and is this the same study that we talked about doing back then? County Manager Abolt said, they did a first —, sir, they did a first phase study. There were some workshops involving some community leaders. There was always some expectation, just as the Attorney has said, because of the evolution of the technology there would be a need for some follow-up work. At the time though we only funded jointly with the City the first phase of that study.

Commissioner DeLoach asked, could I just ask —, would it be wrong to ask those that are benefitting from this to participate in the cost of this? Is there any reason why we couldn't say, you know, will it cloud the study if we did that or is there anything —? County Manager Abolt said, sir, we've looked at the funding from the standpoint of permit fees and were told that we could not do that, and possibly it could cloud the study, and that's something I would want the Attorney to comment officially, but essentially we would be asking them to fund the study that they'd be the —, people be [inaudible].

County Attorney Hart said, the problem you get into that to some extent, and please don't take this as a statement for everybody in the tower business because there have been some very good people that have worked very hard to comply with any of the regulations we have. There have been some people that we've had to watch and monitor more closely than others. The —, we need an ordinance that allows everybody to have reasonable access in accordance with the law and the regulations, and I don't think there's any question about that. You have some people that already have existing towers with existing capacity to co-locate other people within their area, and to be quite honest with you, I don't know that they really care whether we have another ordinance or not or whether we put a moratorium in because they're already in. So you want to be fair to those that are in and then you want to provide fair access that wish to participate in the system.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, in looking at this thing, they're charging us \$2,000 to prepare the work program. It says that's complete, and then \$15,000 and the number one thing in here is determine community preference goal, co-location policy. Well, I think it's already clear we know we want as many co-locations as possible. Tower farms where possible, that is a

good solution. We want to, of course, protect historic areas and natural areas. Stealth technology wherever possible. What are they really going to do for us for that \$15,000? It seems like we pretty much already know all of that.

Chairman Hair asked, Milton [Newton], would you like to —, could you address that question possibly?

Mr. Milton Newton said, Mr. Chairman, Clyde Wester can answer that question. Mr. Wester said, Mr. Chairman, a considerable amount of effort in this program will go into meeting in the community with all interests in the towers issues. The matter of determining community preferences and goals is extremely important in this program and so all of the effort will go into this. There'll be trips to Chatham County for that purpose. Assessing existing regulations, this will be a very thorough assessment of what we're doing now, and it will be put in the context of all the federal, state and local legal issues. Current providers and sites, we do have a lot of information on, current providers and sites, but there are gaps in our information that need to be [inaudible].

Commissioner Jackel asked, the people who are doing this consultant for us, they're not familiar with the existing regulations? Mr. Wester said, to some degree they are, but in a very general way. That wasn't one of the tasks that was accomplished in the initial \$2,000 study to prepare the work program. They have a general familiarity with what we're doing in the community, but they didn't go into our existing ordinances in detail. Commissioner Jackel said, I just don't understand, you know, when you talk about co-location policy and tower farms, I thought all of that was already decided, and we don't know what we're going to get out of their coming down here to have these public meetings. I think it's clear our people want co-location wherever possible.

Mr. Wester said, well, on the matter, for instance, of the tower farms, there's been a special interest expressed by the County staff in the possibility of establishing tower farms. Commissioner Jackel said, right. Mr. Wester said, and some work has been done by County staff in that regard. However, in talking with the consultant I've emphasized to him that we would like to see this pursued in some detail, and I think it's going to require some [inaudible]. [Inaudible] that the \$15,000 when we negotiate a contract with the consultant, we'll have additional details of —, for all the tasks. If we're not satisfied that the work effort is justified, or the cost is justified based on the amount of work that we expect to go into it, we will deal with these costs. These are general and preliminary costs that were submitted to give us a good idea of what the project is going to cost.

Commissioner Jackel said, well, I can tell you from my point of view that that looks like window dressing that they're charging for [inaudible]. Mr. Wester said, well, I can, I guess, just say that we'll look very carefully at this cost item when we discuss this in detail with the firms.

Chairman Hair said, Commissioner Murray and then Commissioner Price.

Commissioner Murray said, yes, on this breakout that we have on here with the \$2,015 and then \$20,000 to \$35,000, has any of that money been spent yet? Mr. Wester said, the \$2,000. Commissioner Murray said, the \$2,000 —. Mr. Wester said, that was spent last year, \$1,000 from the City of Savannah and \$1,000 from Chatham County. Commissioner Murray said, well, if that's all that's been spent —. Mr. Wester said, yes, yes. Commissioner Murray said, and we are being asked to allocate \$25,000, the bottom line on this, deducting that \$2,000, will be \$35,000 to \$50,000 to do it, and we don't even get into the master plans without the \$15,000 are spent. Mr. Wester said, well, the —. Commissioner Murray said, what I'm seeing is we won't even —, we won't have a master plan for \$25,000, if these figures are right. Mr. Wester said, well, first, the —, yesterday the Mayor and Alderman approved their \$25,000. Okay, so the —, with the approval of the County funds the projects will be full funded —. Commissioner Murray said, oh, so the City's going to fund half of it. Okay.

Chairman Hair recognized Commissioner Price.

Commissioner Price said, this master plan, will it include the covenants of certain areas of the County and the unincorporated specifically, like for instance in Georgetown, Montine [Earls] just pointed out to me correctly that there is a covenant that restricts towers from being placed in the Georgetown area that the [inaudible] has responsibility for. I think they're planning to put one behind where the church is out there on King George Boulevard just south of Grove Point Road where all the new shops are going in, but would this master plan include such covenants of such communities and such —? Mr. Wester said, I think it can. We are aware of the existence of this type of covenant in several communities throughout the County, and we've already had to deal with those as we've had tower requests. Commissioner Price asked, how will you go about locating and identifying those covenants of those homeowner's associations? Mr. Wester said, a lot of those we do know, but I think that in reassessing our current ordinance, for instance, we basically don't allow the towers now within the R-1 zoning district and we work around them, so we're avoiding a lot of those areas now. I can't answer you specifically how we can, you know, do that. We know that there's [inaudible] that we're already trying to avoid and we know where some of those areas are. Commissioner Price said, I want to talk specifically about that situation.

Chairman Hair said, I think all of the covenants have to be protected. I don't think you can supercede —, I would hope you're not talking about superceding any existing covenants. Mr. Wester said, we're not —. Commissioner Murray said, a covenant is not something that we can get by [inaudible]. Chairman Hair said, well, at least take into consideration.

Commissioner Jackel said, we want some fairness here. On one side of the street you've got a neighborhood that's got covenants; on the other side you've got nice people who don't, and, you know, we need to be fair on this and not just say, well, they've got their covenants and they're not. We need to do what's best for the community as a whole. It's my understanding that the federal law would supercede those covenants anyhow, so we've got to look at the whole thing and not just say, okay, Ben [Price] is saying it's my neighborhood, I don't want it there, I've got a covenant. Well, the people across the street are saying the same time. We've got to look at what's best and what will work best and not just look at one aspect —. Commissioner Price said, my point is that we do just that, we do consider all of the —.

Chairman Hair said, that's what everybody is saying, I think. Yes?

Youth Commissioner Joseph Geffen said, I was just wondering, what exactly will the benefits of building these new towers or making a new master plan be for the County? Chairman Hair said, well, one thing we're trying to do is we're trying right now, rather than have these towers just crop up everywhere is we're trying to do co-location, we're trying to get as many towers concentrated as we can so that it has less of an impact on, you know, on the County in general. That's one, and that's probably the major focus of it is to make sure that we just don't have the towers every hundred yards is to try to co-locate them and even maybe not necessarily just in tower locations, maybe if you already have a water tank, those kinds of things. So, try to find the least obtrusive or intrusive ways to locate the towers. That's really what this is all about. Youth Commissioner Geffen said, okay. Thank you.

Chairman Hair said, thank you. I appreciate it. Okay, we have a motion and a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Saussy was not present.] Chairman Hair said, the motion passes.

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

Commissioner Price moved to approve the following: A transfer of \$100,000 from the 1985-1993 SPLOST Contingency to SR 307 from US 17 to I-16; Special Service District and CIP fund budget amendments to recognize \$563,000 revenue from Restricted Inspections Funds and to appropriate \$563,000 as a transfer to the Capital Improvement Program Fund for partial funding of renovation of the Air National Guard facility; a General Fund M & O Contingency transfer of \$5,590 for payment of the annual assessment to Property Owners and Members of SouthChase Property Association, Inc.; and a Special Service District Fund contingency transfer of \$25,000 for a Master Plan for siting telecommunications towers. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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## **2. REPORT ON ROAD AND DRAINAGE CONSTRUCTION FOR CALENDAR YEAR 2000.**

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, gentlemen, it's with a great deal of expectation and desire to debut something special to you and to this community this morning. I would like to recognize Mr. Bungard and also Pete Nichols. We're going to use some visuals that will be displayed on the monitors in front of you, and the importance behind this is this is the premiere of a program that will be running on our Channel 16. It will highlight the accomplishments and the progress expected in the year 2000 on both roads and drainage. I would like to introduce our roads scholar, Mr. Bungard.

County Engineer Al Bungard said, I didn't know how I was going to start this, but now it's give me a break. We were trying to put together some media presentations for the road and drainage programs, so we thought we had a month to do this. Pete [Nichols] and I went up in a helicopter last Tuesday. It gives new meaning to wind chill with the doors off. We took some footage of the 10 projects that will be under construction in the year. It runs 26 —, Chairman Hair is smiling. I'll get it down to 15 if y'all don't ask a lot of questions. We were hoping that we could use some of what I said —, we didn't script it because the other Murphy draw was Pete [Nichols] handed me the tape at 5:30 last night, I go home, put it in the VCR, the tape's blank. So I leave a note on the door this morning, tape's blank, Murphy was here, but we reran it and this is what we have. I'm seeing it for the first time, but I think it will look at some questions that I've had frequently from all of you about the scope of various projects so I'd like to run through it and point some things out. We're going to start from east to west and clockwise throughout the County. And since the road report —, since I wrote the road report in your briefing book, some things have changed and I'll point those out as we go along. Here we are at Bull River heading west —.

Chairman Hair said, we don't have anything here. Commissioner Price said, we're nowhere here. Commissioner Murray said, we have snow. Commissioner DeLoach said, we have snow. Commissioner Odell said, heading west. Commissioner Murray said, you have three different channels. Commissioner Price said, I'm going to watch the one out here. Why don't y'all come around this side. Commissioner Rivers said, no, man, we've got to test this stuff.

County Engineer Bungard said, okay, what was off to the right was the Bull River Bridge, which will not be replaced as part of this project, but the old superstructure that's collapsing will be. I asked GDOT to add that as a safety issue. This project has been awarded for widening on the north side up to —. It's not working? Chairman Hair said, we're just going to go

down there, Pete [Nichols]. County Engineer Bungard said, right there is the old Bull River Bridge. That superstructure will be removed, but this widening to four lanes will be part of the Bull River to the Tybee Widening and then the road will be widened to that side there all the way up to Bryan Wood Road. That project was awarded by GDOT to R. B. Baker in December and right now they're looking for some borrow to build the road, but we should see something out there within the next month. They've had the preconstruction conference and the last step in that is approving the traffic control plan. Okay, at this point I think we can fast forward. Here's the Bryan Wood intersection. Okay, stop. There's the bridge that will be widened as part of this project. That bridge does get widened, and then there's Bryan Wood right up there. Now I wanted —, you were invited to go take a look at this intersection the last Board meeting or two so we thought we'd throw this in. This is at the Whitemarsh Plaza, this is the median opening that GDOT was wanting to close but left open given that an access road was going to be built between the Huddle House —, can you back it up a little bit? I am seeing this for the first time. Okay, and so here is the Huddle House right in here and then the Debbie Way intersection will be down here, that's where the traffic light will go. T&H [inaudible], you approved the design of that last time. Okay, keep going.

County Engineer Bungard said, now a few more developments on Project Phase Three. This is the DeRenne intersection and there is the pump station. You'll see some footage as we're flying along here. This is the Magnolia Park that I've already acquired all of except three homes in there. Two will be displaced and we've met with the County Attorney to finish those up. We've tested the asbestos on all those acquired and we're in the process of contracting for the demolition and the removal of the asbestos. There is the dirt pile that Public Works is in the process of moving and now we're all the way up to the pump —, to the landfill. We're removing that corner of the landfill. That bid opening is next week, and here you see it on the footage, the golf course being up in here, Casey Canal running up in there, and that's the corner of the landfill that we have to remove. That's going along pretty well. Then the Truman Parkway will continue down, this is Phase Three, continue down through here and tie into or go by Georgia Regional. There's Georgia Regional. This road will go right down through there. Those are the two buildings that we've tested for asbestos and now we have to destroy those. Savannah Electric is done with building the new substation right there, and all they have to do is make some connections, just basically switch gears and transformers. It's not a very complicated one. Now we're getting into —, the parkway will go down through here and I want to take it fast forward to the —, there's Lake Mayer, and take it up to the Forest City Gun Club. Right about —, well, stop right there. Okay. The current route takes the Truman Parkway down around the southern edge of the Gun Club. This is Bethesda and then back up that way. The eagles were in this spot right there. Yesterday —. Commissioner Rivers said, not the eagles. Don't mention them. County Engineer Bungard said, well, I have to now. I received a letter yesterday —, as I reported back in December, the Fish and Wildlife Service was going to come do their survey. I received a letter yesterday. They are prepared to declare the nest inactive and abandoned, and I've talked to Federal Highway. They say that now we must initiate the condition which is called the Section 7 Consultation with the Fish and Wildlife Service as a formal procedure to reconsider going back to the route. When I first called, they told us we had to go through the public hearing process again. My call said they did not. That's a significant change from what I was able to tell you about two months ago. The cost to go —, we saved one and a half million dollars in right-of-way acquisition costs we estimate and three and a half million in construction costs by going back to the original route. The lady I have to talk to was out this week and what I need to do is send in a letter saying we formally request that Section 7 Consultation and what she said as long as Fish and Wildlife has already bought into it, we will go through, they will revise the road and then all I have to do is have public notice, and I can do that through the media, another TV show that I've rehearsed and filmed, or whatever it takes as public information. The advantages are we don't displace residences on Forest City. We have a few more wetlands. The Corps has already told me not a problem. We have less impacts across the board by going back to the other route. County Manager Abolt said, we had also requested —, will request further from GDOT that the money that they would have spent [inaudible]. County Engineer Bungard said, Phase Five's approved. Okay, and then Phase Five will cut up through here and go over and tie into Home Depot. We can skip all the footage. Now that's where Phase Five will cross right up through there.

County Engineer Bungard said, now we'll continue to Stephenson Avenue. We're done with the design. Yesterday Mr. Billy Jones, the Facilities Director, City of Savannah, the consultant has finished their drainage study and he is talking to the City Manager on how they want to handle their part of the drainage. We have figured out what our cost share would be as a result of a paving project. As soon as they make that decision, we'll get on with that project.

Middleground Road. I sent the last piece of paper to the Army last week. This will —, the Army [inaudible] agree to allow us to widen —, to move the perimeter road over to that site on the base, down around the corner to the church so we don't have to displace anybody in the project. Stop right in there. That will be Phase One, and I should have that paperwork back probably within 30 days. The plans are final and we're ready to go to construction.

You can fast forward all of this. This is just the remainder of Veterans Parkway. I thought we had a still in here. Okay, that's the Southwest Bypass, this being Veterans Parkway, tying into State Route 204. That project, a [inaudible] with Scott Bridge Company, twenty-nine and a half million dollars. That's about three to four million more than we expected. The project also includes —. This is what it will look like. It'll be 45 mile ramp going off to the west, a 45 from east heading north, and you can see this bridge overhead, go down this way, and this loop to go back that way. Commissioner Jackel asked, [inaudible]. County Engineer Bungard said, twenty-nine and half million dollars, and that work should start.

County Engineer Bungard said, now this is Highway 17. This is the second part. We're at the Bryan County line now. We now have approved right-of-way plans for that. That's where our project will start on the south end and we'll take it all the

way up to Highway 204. We're to start on that about 34 parcels. The initial word was three months ago they wanted me to acquire the right-of-way to have it in time for the other part that's going to be from 204 up to 307. Yesterday I was told that project is slipping because of Senate Bill 57 funding issues. They also told me that I have to have all the right of way acquired by May or it's going to slip to 2004. I reminded GDOT that they are sitting on 18 condemnations, one underground storage tank project and a few others, so we'll see how well they come through, but no need to threaten us if they can't come through on their part. But that project is scheduled to be let this Summer. Now —, so that's actually pretty good news. I'm still going to try to get the right-of-way done for the other on time and we'll throw the ball in their court to award it earlier. This is where this project will go for the Summer let, from here all the way up to 307. We've acquired so far about 63 of the 82 parcels for that and that includes the 18 condemnations sitting over at GDOT for processing.

Pooler Parkway. This is the part that's been under construction. Remember that's where I got stuck, and this project takes us up to Pine Barren Road. This is Quacco Road. It looks really, really pretty good from the air. It's well on its way. The contract to continue the Parkway up to Highway 80, low bidder was Douglas Asphalt. They were the ones that built Phase One, and that contract, I was told last night, will be awarded this morning. Barring a blizzard, quote. So, that should be under construction in about 30 to 35 days, 30 to 45 days I'll say. That's the bridge over I-16. That's Pine Barren Road and then it'll continue on up to have the overpass over Highway 80. You can fast forward. You'll see coming up through here that all has to be cleared. That'll go relatively quickly. Here's the wastewater treatment facility. You may recall we settled with Pooler on that.

Jimmy DeLoach Parkway. This is where it ties into State Route 21. R. B. Baker, that project —, they'll get that. This is what that'll look like with the Parkway coming in here, State Route 21, and this will eventually continue off to become Highway 30 over to South Carolina. And the groundbreaking we've scheduled for that for February 17<sup>th</sup>, but we're still waiting on the bond certificates from the contractor. If we get them, we may have to skip the groundbreaking, but I'm still holding that date in abeyance.

Hutchinson Island. Of course, y'all are familiar with that. That's coming along pretty well. Work was suspended while we did something else, but there is the experimental fill area, the ramp and then the Boulevard that is under construction. When all that part is done, then we'll switch over and do that side right there. And we'll add some —, for the TV show we'll clean up what I'm saying here, take out the uh's and duh's, tap dancing, and put a nice little script in there for the public to see that project. It looks real, real nice from the air, especially the golf course.

County Engineer Bungard said, okay, let's skip —, fast forward. Go right into the drainage projects. —. Chairman Hair said, you didn't say anything about Skidaway Road. County Engineer said, okay, Skidaway Road. We are going back —, the GDOT reviewers say that the justifications, that it's not —, the traffic and the accidents do not warrant widening from the section of Eisenhower to Ferguson. They told me, as I've told you before, if they take that out, they want us to redo the EA. The problem with taking it out is that if we ever want it done, it's going to be probably impossible to justify it as a project by itself so the consultant has gone back one more time and redone what they call the Needs and Purpose Statement to try to get it approved. It's still 250 parcels and I met again yesterday with Thomas & Hutton and are waiting for their answer from the GDOT reviewers. Chairman Hair asked, when are we going to know? County Engineer Bungard said, I have talked to Frank and their problem in Atlanta is that they keep changing environmental reviewers, environmental staff, and that's the holdup on three projects. In fact, one of my reports, you may recall, about five months ago I said there's no telling what they'll ask for next, and that was my comment on the Skidaway environmental assessment.

County Manager Abolt said, if they give us the okay, we'll [inaudible]. County Engineer Bungard said, on the Diamond Causeway, we have a film of it, but I think we resolved the issues [inaudible], and so those EA's will be ready probably in 30 days.

County Engineer Bungard said, okay, Placentia Canal. You may remember —, that's the structure right there. Downstream the canal goes up, you may recall, up through Thunderbolt. We're still dealing with the right-of-way acquisition issues concerning three property owners. Other than that we're done with right-of-way acquisition, and there's the crossing of Placentia Canal, but we hope to have that under construction this Summer. Right, Steve? Barring —, assuming we can solve their —. This is that section of property, you may remember, the oak and the pool. That's all in there. There were six property issues. We've settled three. Three are still outstanding. We'll come back to you if we can't resolve those. That's the warehouses that caused us to move it over to that side to start with. And this project then will end up at Shell Road. That will be underway this Summer. Fast forward.

Westlake/Springfield Canal. Decided to break this into two projects. It goes from up North down through the CSX area and crosses under —, stop it right there —, under Hunter Army Airfield. The big obstructions to that canal are under the railroad tracks and then under the crossing at Hunter back here on Perimeter Road. So what I've asked Steve to do is we've broken —, the Army's agreed, we're going to break that out as a separate project. We're at final design now. It'll include widening this all the way down to include replacing that bridge out into the Forest River. And then we'll make a separate contract to do just the crossing under the CSX Railroad, and that will offer —, that's like a 70% solution for draining relief for that area and then we'll have to go farther up into the Lamar Subdivision. It drains Westlake/Lamar Subdivision.

Commissioner Odell said, run that back again. County Engineer Bungard said, okay. This canal —, I'm going upstream from here. It curves this way and goes up under Perimeter Road, which is right about here, under CSX Railroad and then goes north up into Lamarville. We're having difficulty getting some coordination with CSX. Apparently they're changing leadership and managers, and they don't like the effect it's going to have on the fishing pond on their side. And so we're ready to go on this side. I have no right-of-way to acquire. All I need is the construction easement from the Army and I'm just waiting for that to get signed and we're ready to go. We've already designed the bridge and everything. The Army then will take care of widening —, their share will be to approve the outfall on the way out. They're on line to do that. This is —, some in the room will recognize that facility.

Hardin Canal. This is the downstream end. This is Highway 307. Today on the agenda is approval of the final design contract. These are three branches that go under Highway 307. That is the major obstruction to the outfall of the Hardin Canal, and this is the —, we took this to show you an example of how a lot of these canals look. They're through swamps, they're through wetlands, we have no maintenance roads. Not an easy job to build that up, and you just can imagine the Corps is being rather particular about the 404 permitting process. Go ahead and fast forward it here. Public Works has done a job about maintaining what they can through the canal. You'll see that also on Pipemakers. This is where Hardin goes up and it goes in through Southbridge and then up under I-16, and that's where the first phase of the project will stop for about \$20 million, and we hope to have this section through Southbridge under contract this calendar year also. We're in the final negotiations with the golf course because we come very, very close to a couple of their holes up by I-16. That's where it comes back on around. Okay, fast forward again to Pipemakers now.

County Engineer Bungard said, this was interesting to take. Scott —, we're getting line up for a shot and the next thing you hear this inbound 727 bank left and it took a while just to get started on this run, but the start of Pipemakers Canal, this is the tidegate that we have to increase about, what, twofold. Twofold and then this is that warehouse that's built on stilts, believe it or not, in the middle of the canal. I think it goes back to the 70's, and then the first project that we hope to have under way this Summer goes from here up —, right up through there, up through the Georgia Ports Authority, under —, and we have, as you can imagine, a lot of road crossings, and that's going to be the first project. It's about 5,300 feet, about a mile's worth of drainage. That'll increase the canal threefold to a 70-foot wide channel. That'll be quite an improvement. Then we continue upstream —, fast forward here. Stop. Commissioner DeLoach said, that first 5,000 feet, that's on the Georgia Ports Authority —. County Engineer Bungard said, mostly —, we have 17 parcels to acquire. Georgia Ports plus 16 others with lesser impacts. Commissioner DeLoach asked, and they don't have a problem with [inaudible]? County Engineer Bungard said, I've had two meetings so far personally with the Director of Engineering, Jim Bradshaw. They've seen the right-of-way plan, they've seen the impact. My biggest problem with them is going to remain that icehouse remaining in the middle of the canal. They'd like to tell us it has no impact and I'd say you can't even get a kayak through it. Some day we're going to have to look at moving that, but yes they're [inaudible]. Okay, fast forward. And this is what Pipemakers looks like going up. I wanted to show you a little bit of what Public Works —, we're at high tide here. You can see bank full. The maintenance road is at the —, stop. What you can see there is the maintenance road literally almost at the same level as the water elevation. That makes it tough for Public Works to maintain, and there you go in there showing the maintenance road, but it's open, it's clean, just not big enough. Okay, keep going. Fast forward. This is the part —, I was surprised from the air how close we actually got to Savannah Airport, next to the taxiway. Pipemakers goes through. We are widening to this side, aren't we, Steve? And so here you can see the Bamford development going in up in here and the improvements, remember, we started the improvements up south of the airport, and you'll see —, I got this so we can show you kind of like what an after shot is going to be of the canal. Fast forward a little bit. Right, stop. That is the finished product that Baker Construction has done for the Pipemakers Canal. Keep going. And that takes us right up to —, we saved a lot of money by they took the dirt from the canal and actually used it on the golf course. [Inaudible question was directed to County Engineer Bungard.] County Engineer Bungard said, no, the golf course is not open. They just wanted to get our dirt —, and there we stop at I-95.

Okay, that's what we have on film so far. We'll make this into a tape. There are more projects throughout the County. They go all the way from Wilmington Island to, let's see, Manchester/Clarendon, Little Hurst up in Port —, not Little Hurst, Atlantic Creosote up in Port Wentworth, and I haven't even totaled the numbers, but there's at least \$10 million worth of drainage work we're going to be having going on in Chatham County.

Commissioner Thomas asked, what is that canal that drains between —, it comes around by the Old Louisville Road and it snakes back around back behind the train station and goes back over into Cloverdale and that's all the way around near the Pipemakers? What is the name of that? County Engineer Bungard said, it must be one the City —, it's not one we're working. Commissioner Rivers asked, is it Springfield? Commissioner Thomas said, that's one of the areas that we had a lot of problems and we asked you to consider it. County Engineer said, that must be one the City's working. I know we had a problem with the widening of Ogeechee Road because of the Springfield Canal and the way it goes out that way, but the City's working that one, but I can still get you the status. Commissioner Thomas said, I asked this question before what were we doing in connection with the City, and that —. County Engineer Bungard said, I wasn't aware of that, but I'll certainly find out. No problem. Commissioner Thomas said, because that has great impact on all that area over there.

Chairman Hair said, okay. Commissioner Jackel said, I'd like to ask Al [Bungard] a question. Chairman Hair said, all right, we've got a couple of quick questions, Al [Bungard], and then we'll need to move on.

Commissioner Jackel said, Al [Bungard], this interchange at 204, that's \$129 million? County Engineer Bungard said, no, \$29.5. Commissioner Jackel said, I think that's still —. County Engineer said, the high bid was 30-point —, a pretty close spread for five contractors, 29 to three [sic] and a half —, to 30.5. Commissioner Jackel asked, and who —, where's this going money coming from? County Engineer Bungard said, GDOT picked up the tab on that one a hundred percent.

Chairman Hair said, okay, thank you. We appreciate that, Al [Bungard].

**ACTION OF THE BOARD:**

Report received as information.

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**X. ACTION CALENDAR**

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

Chairman Hair asked, does anybody want to pull anything off the Action Calendar. County Manager Abolt said, Mr. Chairman, we have to pull and eliminate #9. That's inside the City of Savannah and should not be before you. Chairman Hair said, #9. County Manager Abolt said, yes sir. Chairman Hair asked, which one? Commissioner Murray said, five and —. Commissioner DeLoach said, if Al [Bungard] is still here, I want to pull that one on the Hardin Canal. Chairman Hair said, give me the number on that, Eddie [DeLoach]. Commissioner DeLoach said, I've got to get there. Commissioner Thomas asked, do we have a date for #3? Commissioner Jackel said, Item 5. Chairman Hair said, it's already been pulled. Commissioner Jackel said, 5, 6, 7. Commissioner DeLoach said, mine's II-D. Commissioner Jackel said, 8, I, F. Chairman Hair said, okay, I'll entertain a motion to approve the balance of the Action Calendar. Commissioner Rivers said, so moved the balance. Commissioner Thomas said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Saussy was not present.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Rivers moved that the Action Calendar be approved in its entirety with the exception of Items 5, 6, 7, 8, 9, 11-D, 11-F and 11-I. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was 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 JANUARY 14, 2000, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve the minutes of the regular meeting on January 14, 2000, as mailed. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JANUARY 6 THROUGH JANUARY 19, 2000.**

**ACTION OF THE BOARD:**

Commissioner Rivers moved that the Finance Director is authorized to pay claims for the period January 6, 2000, through January 19, 2000, in the amount of \$5,029,403. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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- 3. REQUEST BOARD APPROVE EARLY ACQUISITION OF PROPERTY OWNED BY ALLEN AND LINDA CANADY, 2 RIVER BLUFF DRIVE, FOR THE WHITFIELD AVENUE WIDENING PROJECT.  
[DISTRICT 1.]**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve the early acquisition of property owned by Allen and Linda Canady, 2 River Bluff Drive, for the Whitfield Avenue Widening Project. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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- 4. REQUEST BOARD APPROVE A RESOLUTION TO TRANSFER TO THE CITY OF POOLER THOSE CERTAIN PARCELS OF LAND IN THE CITY OF POOLER FOR POOLER PARKWAY, PHASE I.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve a resolution to transfer to the City of Pooler those certain parcels of land in the City of Pooler acquired by Chatham County for appropriate rights-of-way for the improvement and/or widening of Pooler Parkway, Phase I. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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- 5. REQUEST BOARD APPROVE GENERAL DEVELOPMENT PLAN, WALGREENS, WILMINGTON ISLAND.  
[DISTRICT 4.]**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I looked at the map they brought by yesterday with the trees and stuff that were going to be left and I think MPC had made some changes when it went before the MPC, if I'm not mistaken, about the curb cut and —. Mr. Bill Saxman said, yes the Planning Commission —, as far as the curb cut, not have an entrance out from the parking lot back into Johnny Mercer and they recommended keeping the right in but eliminating the right out.

Commissioner DeLoach asked, would they have to use the light? Commissioner Murray said, yes, they'll have to use the light. Mr. Saxman said, well, they recommended —, it would encourage them to go to the light. The Planning Commission staff and the County Engineer staff had gotten together with the developer. We originally had recommended denial of the curb cut, but they basically convinced us that it would probably lessen the congestion at that intersection if they did have right outs and right ins, but the Planning Commission felt that it would be better to eliminate the right out on that site.

Commissioner Murray said, okay. Also there were some questions, I think, at MPC about the parking spaces around the back, they wanted to leave those unpaved. Mr. Saxman said, the Planning Commission members recommended that they eliminate the pavement of the parking in the back. They have a requirement of 67 —, 65 parking spaces and they have 57 proposed, and they have 8 plus 6, which would be 14, parking spaces in the back and an additional 4 more that the Planning Commission felt were basically employee parking or overflow parking and they felt that would be better not to pave those. Based on a recommendation, they do have a requirement of 65. It would be simply to provide a variance, but it would be a waiver of the required parking now until such time as the need was determined, but they've indicated they've been working with us, but I haven't heard the number that they're agreeable to drop. They were going to come back in and

let us know how many parking spaces they might could drop and not pave all those, but try to get around paving all of —, all that entire area, but they haven't gotten back with us on that yet. Commissioner Murray said, the County ordinance says that on that particular building they have to have 65. Is that right? Mr. Saxman said, right. Correct. Commissioner Murray said, so for them to reduce that down —. Mr. Saxman said, it wouldn't be a waiver, they're just be a deferral as far as the actual pavement until such time as the need was desired —, shown and that need to be determined by the County Zoning Administrator or getting back with the MPC and the owner verifying to the MPC they actually need the additional spaces. Commissioner Murray asked, so what would you have, just the cleared spaces back there and they wouldn't be paved, or what? Mr. Saxman said, well, no, they just stop the pavement at the driveway area and leave that area on the plat as a grassed area or landscaped area until such time as it was needed. Chairman Hair asked, have you got a question? Commissioner Jackel said, yes. Mr. Saxman said, but if they ever needed it to use it for parking, they would have to go in and make some improvements.

Chairman Hair asked, Commissioner Murray, do you have any more questions? Commissioner Murray said, let them go ahead and then I've got some I might —. Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, in the initial thing under policy analysis it says the trees located —, the trees in this location are an important positive feature of the aesthetics of the primary entrance to Wilmington Island, and it talked about our concern about the trees. There are several statements in here that there are several large trees that the petitioner proposes to retain, but there's no way for me to tell looking at this how many trees are going to be cut. Mr. Saxman said, well, nor did the developer —, they haven't identified the number that would be cut, but the ones they are going to save greatly exceeds what's required by code and they are going in and put additional trees along that marsh area to the east of the site to fill in voids which are expected to be major vegetation, so they greatly exceed what's required by code. I don't know how we can go in and treat them differently than anybody else. They are saving the main trees out on Johnny Mercer, basically everything north of the parking lot. There's a 36-inch tree on the eastern side of the parking lot which they're proposing to save and they've put special pavers in to try to make sure the root system gets adequate air and water, and of course those plans will have to be approved by the County Arborist to make sure that they're all functional.

Chairman Hair asked, any further questions?

Commissioner DeLoach asked, what size of trees will they be putting back there? Mr. Saxman said, well, they'll be putting in minimum requirement, ones that they plan two-inch circumference as a minimum, but that's . Commissioner DeLoach asked, two-inch circumference or two-inch in diameter, or what? Mr. Saxman said, two-inch circumference as far as their planning —. Commissioner DeLoach asked, you said diameter? Mr. Saxman said, no, caliber. Two-inch caliber, right, type tree.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, one thing, you were saying that we can't do certain things. The reason that we put the zoning contingent upon those trees is because the County Attorney told us that we could do that. Now we're being told that —. Mr. Saxman said, well, no, they are —, they did take into consideration what the Commissioners wanted, and they've gone in and tried to protect the trees, but there are certain trees on there that were felt to be, you know, desirable and we've tried to negotiate with them and swap out trees, but they are putting these special pavers in and basically what I interpret what the Commissioners wanted up front is to make sure they don't just go in and clear cut that site or clear cut all those big trees along Johnny Mercer, and they have —. If you look at the —, I have to take my glasses off to read it, but you do have 20-inch, 24-inch, 38-inch, 36-inch and 24-inch oak trees all along Johnny Mercer there that will be protected, and of course I —, what I understood the Commissioners wanted, they just wanted to make sure that they went in and did the best job they could to protect the trees. Commissioner Murray asked, why do we not have an updated map to what the MPC recommended? Mr. Saxman asked, pardon? Commissioner Murray asked, why is the map that we have in here not what the MPC said —? Mr. Saxman said, they haven't updated their map yet. They indicated —, I thought they were going to be here also. Commissioner Murray said, I saw an updated one yesterday when they brought it by and I looked at it, but to me it seems like the Commission needs to have one in here too that they can look at. Commissioner Jackel said, we can't, we can't —. Commissioner Murray said, because they can't tell what they're looking at. I saw it and I had the benefit of seeing it. Mr. Saxman asked, I mean, you didn't have this tied —, in your report that came over? Commissioner Murray said, we've got this, the same thing you've got right there, but not the updated one. This is the original one. Wasn't yours —? Mr. Saxman said, two curb cuts, a curb cut in —, well, mine shows one in and out too. They haven't updated their map, but this is what they submitted to MPC and I understood that they were going to be here arguing for the right out onto Johnny Mercer. The only difference from what MPC approved and this map would be that you would not have a driveway going back out onto Highway 80 —, I mean, Johnny Mercer.

Commissioner Jackel said, I would like to see the MPC come forward possibly with some sort of plan like we have with the wetlands. When someone disturbs our wetlands, they have to do some sort of compensation, and additional wetlands have to be created. If someone wants to come in and cut some of our valuable trees, we need some compensation for it. If we could come up with some sort of ordinance that would handle that I think we'd be far down the road on something like this. I can't tell from this at all if any significant trees are going to be cut and whether that some planting could not have been done to save —. Chairman Hair said, Mr. Hart needs to comment on that. He's got some real heartburn on that, I think.

County Attorney Hart said, we have to be careful about that because when you're talking about wetlands, you're talking about jurisdictional wetlands, which the Federal government and the State claims ownership and title to. So they have the right to make people compensate them for the wetlands. When you talk about a guy's trees that are on his property, there's no way the County can charge him for cutting his trees. They can regulate the cutting of the trees, so to require compensation —, him to pay us compensation to allow him to cut his trees will effectively make that a condemnation and be a taking, and so we —. Chairman Hair said, he'd be [inaudible] twice. County Attorney Hart said, and so we can regulate, and I understand where you're coming from, you want something that really regulates and ensures that we don't just go in and clear cut the land, but we do have limits of regulations in regard to a person's property. Commissioner Jackel said, all right. I understand that we've got limits on what we can do here, and I wasn't talking so much about the compensation of it, but maybe that we could —, when we had this thing where we gave a right-of-way not too long ago, they were going to come in and clear the trees, at that time I suggested, well, if you're going to cut those trees, why don't you plant some somewhere else for us because we were giving that right-of-way away for nothing. This is, of course, private property, which is different than County property, but still there's an idea there that maybe we could hopefully come up that would help everybody.

Commissioner Murray said, well, what —, and that's what bothered me. We're just seeing this particular map on here. If you could see the map that they've drawn where they made the changes on it, they're leaving a lot of the nice trees on there and they've done a good job of that. Even when they moved this —, took this right out lane out, it gave them more room for keeping a tree that was over here too. So I think they've done a good job with trying to do that. I just had some questions about the process we have to go through, and once this is approved today, what's the next step? Mr. Saxman said, well, they would be actually able to go to the County and get a building permit based on the site plan that's before us. Commissioner Murray asked, and who oversees that site plan and makes sure it's carried out? Mr. Saxman said, well, the City —, the County Inspections Department and Engineering Department. Chairman Hair said, Greg Anderson's office.

Commissioner DeLoach said, but it can't be the —. Mr. Saxman asked, pardon? Commissioner DeLoach said, we're not voting on this site plan I've got in my hand. If we're voting on this site plan I've got in my hand, we're not voting on the right site plan. Commissioner Murray said, that's what I'm saying. Commissioner DeLoach said, we've got to —. Mr. Saxman said, I'll have to look to see which one you have. Commissioner Murray said, we've got the original. We don't have the new one with the changes made to it. I think EMC Engineering had it because I looked at it yesterday, and it was not a bad plan. Commissioner DeLoach said, it's not the one that's been redone. Mr. Saxman said, I think that's the current —. Commissioner Murray said, no, it's not. Commissioner DeLoach said, I see the right out and right in there. Commissioner Murray said, that's right. Commissioner DeLoach said, that's not supposed to have a right out. Commissioner Murray said, [inaudible] doesn't show that and it shows a little difference with some of the trees, layouts instead of —.

Chairman Hair said, but based on the plan you saw yesterday —. Mr. Saxman said, the only difference would be would be the shifting of the driveway. We don't have that. Commissioner Murray said, basically what I saw yesterday, if that's what it is, but Eddie [DeLoach] is right though, he's looking at something that's not what we're approving here. Mr. Saxman said, I'm going to let Dennis [Hutton], Dennis [Hutton] has been working with them. He can answer a little bit clearer than I can. Commissioner Murray said, okay.

Mr. Hutton said, Dennis Hutton, I'm with the MPC. Mr. Murray, the revised plan had not been prepared on Friday when we had to have this plan in to get into your packages, so we just submitted the plan that we —. Commissioner Murray said, excuse me just a minute. When we get something in our agenda book to vote on that's going down and we're approving something, if we have to put it off until the next meeting, that's what we need to do. We don't need to have maps in here that don't show exactly what we're voting on. That's the point I'm trying to make. You're asking us to vote on something. I've seen it. The rest of these Commissioners have not seen it. I don't have a problem with it. I think it's good and I'll vote in favor of it, but my point is we don't need to be voting on things that we can't see. Mr. Saxman said, we haven't had the right —, I just got handed the correct plan. They talked to us on the telephone, but in order for us to get it over here to get it on the agenda, we had to send what we had and they didn't —, I was under the impression they were just going to come up and argue for the right in and right out and they still want to keep it. Commissioner Murray asked, do you understand what I'm saying? Mr. Saxman said, yes sir, but we had no way of getting unless we —.

Chairman Hair said, you know, let me see if I can —, I mean, I agree with you, Commissioner Murray. I see what you're saying, but at the same time I don't know that we, you know, should delay the MPC —. Commissioner Murray said, I'm not saying to delay it. Chairman Hair said, we need to correct the problem administratively, but —. Commissioner Murray said, there's some questions from other Commissioners about whether we're voting on this or voting on something else. Chairman Hair said, I agree. Commissioner Murray said, we've voting on something else. Chairman Hair said, you know, Russ [Abolt], we need to correct that in the future, as far as giving us a last minute addendum or whatever.

County Manager Abolt said, sure. Just to explain how it works, in the interest of being friendly to all sides, the MPC approved this on Tuesday. They had to come up with a staff report to me on Friday. You, in effect, are not adopting the map. What you're adopting is the staff report with reference to the map that makes all the changes. We can in the future get to you, without delaying the process, an amended map, but you could —, I want to give you comfort, you could act today as this is fashioned and still do the thing Commissioner Murray wants to ensure because, in effect, you're adopting the recommendations. The verbiage as opposed to the map. Chairman Hair said, okay.

Commissioner Rivers said, Mr. Chair. They have a revised map there. Those Commissioners that aren't familiar, they could look at that. Chairman Hair said, right. Anybody that has a question could look at it.

Commissioner DeLoach said, whatever Frank [Murray] says that's what we'll do. [Unintelligible comments when several Commissioners were speaking at the same time.]

Mr. Saxman said, if I could point out on here what the difference is. They had a right in and a right out on the map you have. They've taken the right out and they've slipped the driveway away from this large oak tree to give it more clearance. So basically that's the only change. They've moved the driveway a little bit to the east and they've taken out the right out. Commissioner DeLoach said, and they're going to end up using the light, existing traffic light. Mr. Saxman said, traffic light out of the site, right.

Chairman Hair said, okay, I think, Commissioner Murray, I think you made a good point. In the future, Russ [Abolt], make sure you take that into account. I'll entertain a motion to approve. Commissioner Murray said, so moved. Commissioner Thomas said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Saussy was not present.] Chairman Hair said, the motion passes.

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

Commissioner Murray moved to approve the general development plan, Walgreens, Wilmington Island. Commissioners Price and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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#### **6. REQUEST BOARD APPROVAL TO FIX AND PUBLISH THE QUALIFYING FEES FOR ELECTED OFFICES TO BE FILLED IN THE 2000 ELECTIONS.**

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I just wanted to publicize this that we have done it, that we're publishing the fees and anyone interested in running, the fees are set and out there for everybody to see.

Commissioner Murray said, I wanted to check one fee. Commissioner Jackel asked, you want to check one thing.

Chairman Hair said, let's go ahead and get —, I'll entertain a motion to approve. Commissioner Odell said, so moved. Commissioner Price said, second. Chairman Hair said, okay.

Commissioner Murray asked, have we taken the —. We did take the —. Yes, the County Surveyor is a zero because he doesn't make anything. Okay. That was my only question.

Chairman Hair said, okay. We have a motion and a second to approve. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Saussy was not present.] Chairman Hair said, the motion passes.

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

Commissioner Odell moved to approve the request to fix and publish the qualifying fees for elected offices to be filled in the 2000 elections. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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#### **7. REQUEST BOARD AUTHORIZE THE CHATHAM COUNTY POLICE DEPARTMENT TO ENFORCE THE UNIFORM RULES OF THE ROAD ON THE STREETS, ROADWAYS, AND COMMON AREAS OF FOREST COVE SUBDIVISION, AS PROVIDED FOR BY STATE LAW.**

##### **[DISTRICT 6.]**

Chairman Hair recognized Commissioner Jackel. Commissioner DeLoach said, move for approval.

Commissioner Jackel asked, have we been have any particular problems out there? Chief Sprague said, no sir. It's a private community at the present time. They made the request to have us do traffic in the area. They've completed the whole process. Signs are up now. It's a 25 mile speed limit and we have applied for a radar permit for one street there, which is the only one that qualifies, but it's —, the majority of the citizens there voted to do this.

Chairman Hairsaid, we have a motion to approve. Commissioner DeLoach said, so move. Commissioner Thomas said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Saussy was not present.]

Commissioner Price said, before we go forward —. Chairman Hair said, yes sir. Commissioner Price said, Russ [Abolt], I just want to point out to you that right at that intersection of 204 and King George Boulevard, have we accepted the TSM Project at that intersection, right there by Forest Cove? County Manager Abolt said, well, I don't —, I'll have to defer to the County Attorney [sic], but I don't think we have. Commissioner Price said, we've got a further problem that I told you about six months ago of erosion and the potholes on the side of the road —. County Manager Abolt said, may I ask Mr. Bungard —. Commissioner Price said, as you exit out of King —, Georgetown. We need to get back with the contractor and make sure that we get that fixed. Chairman Hair said, he's not present I don't think. Oh, there he is.

County Engineer Bungard said, he's working on the punch list. I know it's pretty close, but it reoccurs. Commissioner Price said, it's already back out there a couple of feet deep already. Cars are coming off the side of the road.

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

Commissioner DeLoach moved to approve to authorize the Chatham County Police Department to enforce the Uniform Rules of the Road on the streets, roadways, and common areas of Forest Cove Subdivision, as provided for by State law. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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- 8. REQUEST BOARD APPROVAL TO ACCEPT A LOCAL LAW ENFORCEMENT BLOCK GRANT FROM THE BUREAU OF JUSTICE ASSISTANCE IN THE AMOUNT OF \$71,785, APPROVE SELECTION OF ADVISORY BOARD MEMBERS WITH THE MANDATE TO MAKE A NON-BINDING RECOMMENDATION TO THE BOARD OF COMMISSIONERS REGARDING USE OF FUNDS RECEIVED FROM THE GRANT PROGRAM, AND TO SCHEDULE A PUBLIC HEARING REGARDING THE PROPOSED USE OF THE BLOCK GRANT FUNDS WHERE THE ADVISORY BOARD'S RECOMMENDATION WILL BE RECEIVED ON FEBRUARY 25, 2000.**

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I had some concern about a little wording in here. Not to be too picky about it, but it talked about or their designees. I think we ought to appoint these people and they ought to be the ones involved. You're going to be involved, aren't you, Chief? It's not someone you send over there? Chief Sprague asked, are you referring to the public meeting? Commissioner Jackel said, this is to accept a local law enforcement block grant and we're going to approve the selection of Billy Knight, Daniel DeLoach, Larry Chisholm, Rick Pryor and yourself onto the Advisory Board to make recommendations to us, and it said in there or their designee. Are these the people that are going to do it, or are they going to designate somebody to go? Chief Sprague said, those are the people. We put that or designee in case there was a late minute change where one couldn't make it so it wouldn't delay the process at the public meeting, but all of the persons that we have listed have agreed to attend the meeting and to go other [inaudible]. Commissioner Jackel said, if you're going to handle it that way, that's fine.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Jackel said, so moved. Commissioner Price said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Saussy was not present.] The Clerk asked, who made the motion. Commissioner Price said, Billy [Hair] made it. He can make a motion every now and then. Chairman Hair said, no, I can't make a motion. Commissioner DeLoach said, Martin [Jackel] made it. Commissioner Jackel said, certainly.

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

Commissioner Jackel moved to accept a Local Law Enforcement Block Grant from the Bureau of Justice Assistance in the amount of \$71,785, to approve selection of Billy Knight, a member of the Savannah/Chatham Board of Public Education; Daniel E. DeLoach, Superior Court Administrator; Larry Chisholm, Assistant District Attorney; Rick Pryor, member of the Board of Directors for the Citizens Crime Commission; and Chief Thomas C. Sprague, or their designee, as an Advisory Board with the mandate to make a non-binding recommendation to the Board of Commissioners regarding use of funds received from the Grant Program, and to schedule a public hearing regarding the proposed use of the Block Grant funds where the Advisory Board's recommendation will be received on February 25, 2000. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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9. **REQUEST FOR NEW BEER, WINE AND LIQUOR POURING AND SUNDAY SALES LICENSE FOR 2000. PETITIONER: MARK J. LEAHY, D/B/A SAVANNAH INTERNATIONAL TRADE & CONVENTION CENTER, LOCATED AT 1 INTERNATIONAL DRIVE, HUTCHINSON ISLAND. [DISTRICT 3.]**

**ACTION OF THE BOARD:**

This item was pulled from the agenda by staff because the referenced site is located within the City of Savannah and should not be before the Commissioners for consideration.

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10. **REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2000. PETITIONER: CHARLES R. JONES, D/B/A SILVER DOLLAR BAR & GRILL, LOCATED AT ROUTE 3, BOX 304A, HIGHWAY 204. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve the request of petitioner Charles R. Jones, d/b/a Silver Dollar Bar & Grill, located at Route 3, Box 304A, Highway 204, for renewal of Sunday sales of beer, wine and liquor pouring license for 2000. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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

<b>ITEM</b>	<b>DEPT.</b>	<b>SOURCE</b>	<b>AMOUNT</b>	<b>FUNDING</b>
A. First renewal option to the annual contract to provide janitorial/custodial services	Weightlifting Center	Team Savannah, Inc.	\$18,936.72	General Fund/M & O - Weightlifting Center
B. Industrial equipment	SPLOST	•Dougherty Equipment •Prime Equipment	•\$44,166 •\$58,623	SPLOST (1993-1998) - Trade Center - (FF&E budget)
C. Purchase and installation of stage drapery	SPLOST	Stage Front Presentation Systems	\$10,500	SPLOST (1993-1998) - Trade Center - (FF&E budget)
D. Change Orders No. 5 and 6 to the engineering services contract for the Hardin Canal Drainage project for additional services	SPLOST	Thomas & Hutton	•\$692,600 (Change Order No. 5) •\$90,900 (Change Order No. 6)	•SPLOST (1998-2003) - Hardin Canal (Change Order No. 5) •SPLOST (1985-1993) - Contingency (Change Order No. 6) - pending transfer
E. Name change of a joint venture partner for environmental study and design of the Truman Parkway	SPLOST	Change from Jordan, Jones & Goulding/-Freeman & Vaughn Engineering, Inc. to Jordan, Jones & Goulding/Stevenson & Palmer Engineering, Inc.	N/A	N/A

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
F. Contract for the paving, resurfacing and drainage improvements of President Street	SPLOST	Carroll & Carroll	\$1,072,623.35	SPLOST (1993-1998) - President Street
G. Six month maintenance agreement for telephone communications	I.C.S.	Property Technologies, Inc.	\$28,610.46	General Fund/M & O - Communications
H. Confirmation of a six-month maintenance agreement for the County portion of the 800MHz communication system	I.C.S.	Motorola, Inc. (sole source)	\$106,200	General Fund/M & O - Communications
I. Equipment required to change over to the County phone switch and 10 telephones	CEMA	Property Technology (sole source)	\$14,670	CIP - CEMA
J. Change Order No. 5 to the contract for the design of the Truman Linear Park, Phase I for design changes	SPLOST	Hinesley-Hickson Association (WBE)	\$800	SPLOST (1993-1998) - Truman Linear Park
K. Annual renewal option for the lease for the property occupied by CNT	CNT	Melaver, Inc.	\$70,087	General Fund/M & O - CNT
L. Confirmation of the emergency purchase of electrical power boxes and stringers	SPLOST	Nutech Industries	\$109,890	SPLOST (1993-1998) - Trade Center - (FF&E budget)
M. Extend the Owner Controlled Insurance Program (OCIP) for the Trade Center until project completion	SPLOST	<ul style="list-style-type: none"> <li>•Zurich</li> <li>•Great American Insurance</li> <li>•Construction Safety Experts</li> <li>•Industrial Healthcare</li> </ul>	<ul style="list-style-type: none"> <li>•\$183,790</li> <li>•\$6,329</li> <li>•\$9,333</li> <li>•\$1,474</li> </ul>	SPLOST (1993-1998) - Contingency
N. Change Order No. 7 to the Hutchinson Island Utilities Extension contract	Hutchinson Island Utilities Extension	Southern Champion Construction, Inc.	\$390,000 (estimated)	Hutchinson Island Water and Sewer Fund (pending transfer approval)

**Items 11-A through 11-N, except 11-F, 11-F and 11-I:**

Commissioner Rivers moved to approve Items 11-A through 11-N, except 11-D, 11-F and 11-I. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

**Item 11-D:**

CHANGE ORDERS NO. 5 AND 6 TO THE ENGINEERING SERVICES CONTRACT FOR THE HARDIN DRAINAGE PROJECT FOR ADDITIONAL SERVICES; SPLOST; SOURCE: THOMAS & HUTTON; AMOUNT: \$692,600 (CHANGE ORDER No. 5), \$90,900 (CHANGE ORDER NO. 6); FUNDING: SPLOST (1998-2003) - HARDIN CANAL (CHANGE ORDER NO. 5); SPLOST (1985-1993) - CONTINGENCY (CHANGE ORDER NO. 6) - PENDING TRANSFER.

Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, yes. I've got a question on that. Mr. George Lynch said, okay, sir. Commissioner DeLoach said, that's probably —. I mean, is this the action to make the final drawings for the entire project and all that stuff? Is that what the idea is? Chairman Hair said, AI [Bungard]. Commissioner DeLoach said, because I'm —, I mean, it's actually probably twice as much as what we've spent all along. It's a change order and you get kind of nervous giving somebody three times the money they bid on to give them a change order. It kind of gets shaky there when you start doing that.

County Engineer Bungard said, this is final design. The other was for the analyses. These are construction plans, final right-of-way plans for the project. Commissioner DeLoach said, okay. County Engineer Bungard said, the \$90,000 is because I can't redo Hardin without realigning 307. Commissioner DeLoach said, right. Move for approval then. Commissioner Price said, second.

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

**Item 11-F:**

CONTRACT FOR THE PAVING, RESURFACING AND DRAINAGE IMPROVEMENTS OF PRESIDENT STREET; SPLOST; SOURCE: CARROLL & CARROLL; AMOUNT: \$1,072,623.35; FUNDING: SPLOST (1993-1998) - PRESIDENT STREET.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, which one did you call? Commissioner DeLoach said, move for approval. Commissioner Price said, second. Chairman Hair said, we have a motion and a second. Commissioner Jackel said, I didn't call that. Chairman Hair said, yes, you did. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Saussy was not present.] Chairman Hair said, the motion passes.

**Item 11-I:**

EQUIPMENT REQUIRED TO CHANGE OVER TO THE COUNTY PHONE SWITCH AND 10 TELEPHONES; CEMA; SOURCE: PROPERTY TECHNOLOGY (SOLE SOURCE); AMOUNT: \$14,670; FUNDING: CIP - CEMA.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel asked, what were the problems we were having with the phones? What was —? Mr. George Lynch said, fundamentally, saturation, as I understand it, sir, however, Phillip Webber is here, he can tell you in more detail.

Chairman Hair asked, Mr. Webber, would you just basically answer Commissioner Jackel's question?

Commissioner Jackel asked, yes, what were the problems and why do we need a sole source provider? Mr. Webber said, it's not so much to a —, the problem is we're spending too much money on phones down there. We're budgeted for about \$20,000 a year on phones and that is a reoccurring cost, it's an approved budget item every year. This \$14,670 is already money that's in my budget. We will —, these lines, by going to the County system, will pay for themselves the first year and the County will realize a savings of approximately \$20,000 a year every year after that. Commissioner Jackel said, okay. But why's —. Chairman Hair said, thank you. Phillip [Webber], we appreciate you —. Commissioner Jackel asked, Phillip [Webber], but why is it —, why is it a sole source? Mr. Lynch said, because, sir, our entire system is with Properties [sic] Technology and to keep compatibility we need to continue with them.

Chairman Hair said, I need a motion. Commissioner DeLoach said, yes —. Commissioner Jackel said, so moved. Commissioner DeLoach said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Saussy was not present.]

**ACTION OF THE BOARD:**

1. Commissioner Rivers moved to approve Items 11-A through 11-N, except Items 11-D, 11-F and 11-I. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]
2. Commissioner DeLoach moved to approve Item 11-D. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]
3. Commissioner DeLoach moved to approve Item 11-F. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]
4. Commissioner Jackel moved to approve Item 11-I. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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**XI. FIRST READINGS**

Proposed changes to ordinances must be read or presented in written form at two meetings held not less than one week apart. A vote on the following listed matters will occur at the next regularly scheduled meeting.

Comments, discussion and debate from members of the public will be received only at the meeting at which a vote is to be taken on one of the following listed items.

- 1. PETITIONER, HAROLD B. YELLIN AND JONATHAN YATES, AGENTS/AMERICAN TOWER CORPORATION (FOR GLADYS HILL AND JOYCE DURRENCE, OWNERS), IS REQUESTING THE REZONING OF A 0.23 ACRE SITE FROM R-A (RESIDENTIAL-AGRICULTURE) TO RA-WT (RESIDENTIAL-AGRICULTURE-WIRELESS COMMUNICATION/DIGITAL TELEVISION TOWER OVERLAY DISTRICT) IN ORDER TO CONSTRUCT A 180 FOOT HIGH TELECOMMUNICATIONS TOWER. THE SITE IS LOCATED ON A 323 ACRE TRACT IN THE NORTHWEST QUADRANT OF THE INTERSECTION OF I-95 AND GEORGIA HIGHWAY 204, APPROXIMATELY 1.1 MILES FROM HIGHWAY 204. THE MPC RECOMMENDED APPROVAL.  
MPC FILE #00-105-C  
[DISTRICT 7.]**

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

Commissioner DeLoach said, I don't want to speak on that, but could I just ask something when it comes up for Second Reading later? Chairman Hair said, just tell me what you need. Commissioner DeLoach said, I need to make sure that this is located in the area that there will be no housing developments located anywhere around it in this —, in the near future and in the, say, 50-year future because this area here is going to develop long term and I just want to make sure it's, you know —. County Attorney Hart said, this is a large agricultural tract right now. Commissioner DeLoach said, right. County Attorney Hart said, I mean, it is truly agricultural. Commissioner DeLoach said, I know that, but I —, but long term. Chairman Hair said, we'll just —, we'll make sure in two weeks that we have answers to Commissioner DeLoach's concerns. Commissioner DeLoach said, I just want to —, you know, like if it's in a low area that you know you're not going to develop because of wetlands or whatever, then it would be a great place for us because —.

County Attorney Hart said, Mr. Chairman. Chairman Hair said, yes sir. County Attorney Hart said, in regard to this particular item, petitioners have been very diligent in pursuing this matter and because of some timing issues in regards to matters out of their control that just sort of happened through administrative channels, they have been somewhat delayed in the process and this is a rezoning of that 100 by 100 area tract under our Zoning Ordinance from an R-T for a tower specifically for that, and they have requested, and we have no problem with this if it is the Commission's wish, to pass a resolution to allow the MPC to approve the site plan at their meeting coming up next week. Now it will still have to come back to y'all on the second reading, but otherwise what we're going to have to —, they're going to have to do is they're going to have to wait two weeks, have y'all approve it, and then schedule their site plan back again before the MPC. The MPC has reviewed it and has no objections to it, and I would request —, we can't by law order the MPC to do it, but request the MPC to review the site plan at their next meeting.

Chairman Hair said, my problem with that is, are we establishing a precedent here that once we do it we've got to do it for everybody? County Attorney Hart said, you don't have to do it for everyone. It's totally within your discretion. I mean, it's a non-binding resolution on the MPC from a practical standpoint. Chairman Hair asked, why do we have to do a formal resolution? Why can't we just request the —, you know, Bill [Saxman] is here —. County Attorney Hart said, that's fine. Chairman Hair said, why can't we request that Bill [Saxman] —, that y'all do that. County Attorney Hart said, they just need direction to do that because they have not —, traditionally they have always waited for the total rezoning to do that. In this particular case there are some timing issues where these people filed petitions thinking they had done what they were supposed to do and, upon review, they didn't meet some notice requirements, through no fault of their own, and I feel like we're sort of delaying them for a [inaudible] something that's going to happen.

Commissioner Murray said, that may be the case, but I also feel like that once we do this we're going to have more and more people coming and requesting the same thing. Chairman Hair said, I do too. Commissioner Murray said, I'm sorry that they've been delayed, but at the same time I just think that we're making a mistake when we start deviating from our policy.

Chairman Hair asked, why would it —, would it —, based on this conversation, could Bill [Saxman] just not take that back and do that without having a formal resolution? County Attorney Hart said, well, the MPC —, previous directions from this Board has been not to approve site plans until the rezoning has completely occurred. Chairman Hair asked, what kind of

delay are we talking about here? County Attorney Hart asked, Bill [Saxman], what —? Chairman Hair asked, what's the maximum delay that could occur if we follow —? Mr. Saxman said, technically, I guess, after the second meeting, we'd have a meeting coming up on the 15<sup>th</sup> and y'all meet on the 11<sup>th</sup> and we meet on the 15<sup>th</sup>, so we —. Chairman Hair said, so we're only —, we're talking a very minor delay here.

Commissioner Price asked, why couldn't we approve the second reading and then at that same meeting, right after we do that, approve the site plan? County Attorney Hart said, because they have to approve the site plan. Commissioner Murray said, it has to come before the MPC first so it's not going to be —, it's not going to delay it that long.

Chairman Hair said, all you're talking about, from the 11<sup>th</sup> to the 25<sup>th</sup> is what you're talking about. You're talking about a two-week delay. Commissioner Murray said, 11<sup>th</sup> to the 15<sup>th</sup>, four days. Commissioner Price said, well, we've got to —. It's got to come back to us for final. Chairman Hair said, actually it would be the 25<sup>th</sup> because it would have to come back to us at our second meeting after they meet on the 15<sup>th</sup>. County Attorney Hart said, could we do it —, you could put it on the MPC agenda this week for approval contingent upon y'all's final approval. Chairman Hair said, that's the way to do it.

County Manager Abolt asked, why don't we do that —, without y'all involved, I'll ask Bill [Saxman], administratively MPC staff is going to put it on the agenda with a little note and you won't be involved in it.

Chairman Hair said, okay. Very good. Thank you.

**ACTION OF THE BOARD:**

Read into the record as first reading.

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**XII. SECOND READINGS**

1. **AMENDMENT TO THE CHATHAM COUNTY LAND DISTURBING ACTIVITIES ORDINANCE TO INCLUDE TWO-FAMILY DEVELOPMENT UNDER THE AUSPICES OF THE ORDINANCE.  
[ALL DISTRICTS.]**

Chairman Hair asked, does anybody have any questions on this? If not, I'll entertain a motion to approve. Commissioner DeLoach said, so moved. Commissioner Thomas said, second. Chairman Hair said, motion and second. Any further discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Saussy was not present.]

**ACTION OF THE BOARD:**

Commissioner DeLoach moved to amend the Chatham County Land Disturbing Activities Ordinance to include two-family development under the auspices of the ordinance. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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**XIII. INFORMATION CALENDAR**

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

**ACTION OF THE BOARD:**

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. SURPLUS PROPERTY STATUS.**

**ACTION OF THE BOARD:**

Report received as information.

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**4. STATUS REPORT ON MERGER OF INSPECTIONS DEPARTMENT WITH CITY OF SAVANNAH.**

**ACTION OF THE BOARD:**

Report received as information.

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**EXECUTIVE SESSION**

Commissioner Thomas moved the Board go into Executive Session for the purpose of discussing litigation, land acquisition, and personnel. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.] The Board recessed to go into Executive Session at 10:20 a.m.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 10:47 a.m.

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**ITEMS FROM EXECUTIVE SESSION**

**1. REQUEST BOARD APPROVE SETTLEMENT OF THE CLAIM OF KENNETH JONES.**

**ACTION OF THE BOARD:**

Commissioner DeLoach moved to authorize settlement of the claim of Kenneth Jones in the amount of \$500. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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

Commissioner DeLoach moved to authorize the Chairman to execute an affidavit that the Executive Session was held in compliance with the Open Meetings Law. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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**APPOINTMENTS**

**1. MOSQUITO CONTROL COMMISSION**

Commissioner DeLoach moved to appoint Dean Kicklighter to the Mosquito Control Commission. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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**2. MH/MR/SA COMMUNITY SERVICE BOARD**

Commissioner Thomas moved to make the following appointments to the MH/MR/SA Community Service Board: Dr. Stephen King to fill the position previously held by Keith Glover, to serve as Mental Health representative, which term will expire June 30, 2001, and Mr. James Barnwell to fill the position previously held by Robert McAlister, which term will expire June 30, 2001. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Saussy was not present.]

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**ADJOURNMENT**

There being no further business to come before the Board, the Chairman declared the meeting adjourned at 10:50 a.m.

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APPROVED: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000

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

\_\_\_\_\_  
SYBIL E. TILLMAN, COUNTY CLERK