

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, MAY 12, 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, May 12, 2000.

=====

II. INVOCATION

Commissioner Frank G. Murray gave the invocation.

Chairman Hair said, I'm going to ask that all of us join in a moment of silence in honor of Tisha Abolt. [A moment of silence was observed.] Chairman Hair said, thank you.

=====

III. PLEDGE OF ALLEGIANCE

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

=====

IV. ROLL CALL

The Clerk called the roll.

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

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

=====

YOUTH COMMISSIONERS

Chairman Hair said, I'd first like to introduce our Youth Commissioners who are in attendance: today: We have Joseph Geffen, and he's representing the Jewish Education Alliance, and he's a Junior at Country Day, and we have Henry O'Neal, who is representing the Educational Talent Search, and he's a Junior at Beach High School. We appreciate you being with us today. If you want to say anything or ask a question, raise your hand and I'll recognize you.

=====

V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. PROCLAMATION FOR SAFE BOATING WEEK.

Chairman Hair said, we have three proclamations this morning. The first one is to proclaim Safe Boating Week.

WHEREAS, Chatham County area residents are increasingly heading to the water for recreation and relaxation as the opportunities for on-the-water activities grow each year on our unsurpassed local natural resources; and

WHEREAS, it is essential that both novice and experienced boaters practice safe boating habits, such as wearing a life jacket; and to commemorate the annual Safe Boating Week, this year's theme, "Boat Smart From The Start, Wear Your Life Jacket," is to recognize that boating safety begins long before the boat leaves the dock; and

WHEREAS, in recognizing that hundreds of lives could be saved each year by the wearing of life jackets - and that life jackets of today are more comfortable; and the law requires that wearable life jackets be carried for each person on board the boat - and little effort is needed to wear those life jackets.

NOW, THEREFORE, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby support the goals of the National Safe Boating Campaign, the Tybee Light Power Squadron, and the U.S. Coast Guard Auxiliary Flotilla 10-2, and proclaim May 20-26, 2000, as:

"NATIONAL SAFE BOATING WEEK"

in Chatham County and urge all citizens to support the start of the year-round effort to promote safe boating, and urge all those who boat to wear their life jackets and practice safe boating.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed this, the 12th day of May, 2000.

/s/ Billy B. Hair _____
Dr. Billy B. Hair, Chairman
Chatham County Commission

/s/ Sybil E. Tillman _____
Sybil E. Tillman, County Clerk

Mr. Bill Dodge said, on behalf of both the Coast Guard Auxiliary and the Tybee Light Power Squadron, since its founding in 1957, Tybee Light Power Squadron has educated some 1800 local boaters through our safe boating course and we are, in conjunction with the Coast Guard Auxiliary, going to now assist in the vessel inspection, and we hope that will be a program that we'll start this summer. So I'll let Jack Marvin, Coast Guard Auxiliary –.

Mr. Marvin said, well, we 're 1955, so we've got a little edge on the Power Squadron, but we're here to keep Savannah safe for all boaters, and just wear your life jackets and when you're out there, remember, safety is Number 1. Your safety is what we're concerned with. God bless you. Commissioner Murray said, will you all still be conducting the inspections on the boats this year as you have done in the past? Mr. Marvin said, absolutely. Commissioner Murray said, will those dates and locations be published? Mr. Marvin said, yes, they are already published, and it's in conjunction with the Power Squadron. They have also taken over to the point where they're helping us out and they're going to take the lead on their own, and we'll still be involved in it, though, with the Auxiliary.

=====

2. PROCLAMATION FOR SCOTTISH GAMES.

Chairman Hair said, you may have noticed that we arrived at our chairs this morning a little differently than we normally arrive. We were piped in this morning. And our next proclamation deals with Scottish Heritage Week, so I'd like to present this proclamation. We have a member of our own here who's going to assist me this morning.

WHEREAS, one of the prime reasons for the establishment of the Georgia Colony was that it would serve as a buffer between Spanish Florida and the Carolinas; and

WHEREAS, James Oglethorpe, looking for a sturdy and resolute force to man the Florida frontier, sent his agents to the Scottish Highlands, where such people were to be found; and

WHEREAS, the result of his recruitment was the settlement in January 1736 of 177 men, women, and children from the Inverness Region, on the Altamaha River, where they called their town New Inverness (now Darien); and

WHEREAS, this original group was joined by ship loads of their countrymen and formed themselves into the Highland Company of Foote and the Highland Rangers to establish patrols and outposts against incursions from Florida; and

WHEREAS, these Scottish Highlanders became General Oglethorpe's most trusted followers and were with him on every important occasion - The Treaty of Coweta, Ft. Moosta, and the Battle of Bloody Marsh in July 1742 on St. Simons Island where, with elements of Oglethorpe's 42nd Regiment, they decimated the Spanish advance guard by pushing their main force back and eliminating Spanish claim to the South Atlantic coast forever.

NOW, THEREFORE, I, Dr. Billy B. Hair, Chairman of the Chatham County Board of Commissioners, do hereby recognize the heroic deeds of the people of New Inverness who, along with the thousands of Scots who came to this area and helped in settling our great state, am proud to declare the week of May 7, 2000:

"SCOTTISH HERITAGE WEEK"

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed, this, the 12th day of April, 2000.

/s/ Billy B. Hair
Dr. Billy B. Hair, Chairman
Chatham County Commission

/s/ Sybil E. Tillman
Sybil E. Tillman, County Clerk

The proclamation was received by an unidentified gentleman who said, thank you very much. I'd like to recognize some folks that are here with us. To my immediate left is Mara [inaudible]. She's Vice President of the Scottish Games and President of Coastal Scottish Heritage Society. Of course, you know this gentleman here [David Saussy]. To my right is Shelton Sanford. He's President of St. Andrews Society. We have Neal McDonald, who is Past President of St. Andrews Society and, of course, most of everyone knows the masterful Gordon Varnadoe, who is Past President of St. Andrews and the Scottish Games. We brought you something today, and we brought you some tickets. We certainly hope that the Commission will come to the games tomorrow, but we also brought a special bottle. Now, I think Mara took this to Scotland and had it especially blessed by a Celtic Priest. It's for incumbents, and I don't know if anybody's running, but this is certainly something you may want to have just a little sip of, if you're running for reelection. Thank you very much.

=====

3. PROCLAMATION FOR RELAY FOR LIFE WEEKEND.

Chairman Hair said, our next proclamation deals with the Relay for Life Weekend.

WHEREAS, Cancer is the second leading cause of death in the United States; and

WHEREAS, one in every four deaths in the United States is from Cancer; and

WHEREAS, an estimated 564,800 Americans are expected to die from Cancer each year, more than 1500 per day, and an estimated 20,400 new cases of Cancer will be diagnosed in Georgia in 2000; and

WHEREAS, the American Cancer Society is the nationwide community-based voluntary health organization dedicated to eliminating Cancer as a major health problem; and

WHEREAS, the Southeast Division holds one of the top positions in the United States for the largest fund raising events for the American Cancer Society and hosts over 318 Relay For Life events, involving more than 150,000 volunteers in honoring Cancer survivors, educating the general public about the importance of Cancer prevention, detection, and raising funds in the fight against Cancer; and

WHEREAS, Chatham County will hold its 7th Annual Relay For Life, involving over 1,000 volunteers and over 200 survivors the weekend of May 19th and 20th.

NOW, THEREFORE, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim May 19th and 20th:

"RELAY FOR LIFE WEEKEND"

and urge all of our citizens to participate in this effort to eradicate Cancer as a major health problem by preventing Cancer, saving lives, and diminishing suffering from Cancer through research, education, advocacy, and service.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed, this, the 12th day of May, 2000.

/s/ Billy B. Hair
Dr. Billy B. Hair, Chairman

Chatham County Commission

/s/ Sybil E. Tillman
Sybil E. Tillman, Clerk

Heather Wyatt said, I'm with the American Cancer Society. I'm the community income manager for Savannah and I'd like to introduce with you two volunteers for the American Cancer Society, [inaudible] DeMore, who's a cancer survivor herself, and serves on the volunteer committee as opening ceremonies and closing ceremonies chairman, and to my right, Lynn Fogarty, who was last year's chairman of the relay and this year's marketing chair. Together, we come to thank you to support this weekend and Chatham County will come together on the 19th and 20th to show that progress is being made in the fight against cancer and we will honor those that have won the battle against cancer and remember those who have lost their battle, so we appreciate your support for Savannah. Thank you. Chairman Hair said, thank you very much, appreciate you all being here.

=====

VI. CHAIRMAN'S ITEMS

None.

=====

VII. COMMISSIONERS' ITEMS

1. RECOGNITION OF KIM BIRGE, PROBATE COURT, FOR RECEIVING THE JUDGE HESTER AWARD FROM THE SAVANNAH BAR ASSOCIATION FOR EXCELLENT SERVICE TO MEMBERS OF THE BAR (COMMISSIONER JACKEL).

Chairman Hair said, that takes us to the Commissioner's items and the only Commissioner's items we have this morning is recognition of Kim Birge, Probate Court, for receiving the Judge Hester Award from the Savannah Bar Association for excellent services to members of the Bar. He recognized Commissioner Jackel. Commissioner Jackel said, I'd like to invite Kim Birge and Judge Harris Lewis up to the stand, please. All of us know how many wonderful and hardworking employees we have, and we have programs in place to recognize those employees when they do outstanding work, and we have the Mysterious Employee Award, but when we have one of our employees that's recognized by another group, and I think a very distinguished group, as Commissioner Odell and I and the County Attorney are members of the Savannah Bar Association, they have recognized Kim Birge with the Judge Hester Award, and I think it's something we're all very proud of, and I know she's proud of it. Judge Lewis, I know you probably have a couple of comments. Judge Lewis said, I hadn't planned to say anything, but I do know that a number of people nominated Kim for this award; it was not just a unilateral nomination; it came from all around, and I can't think of anybody who deserves it any more than Kim does. Commissioner Jackel said, we want to make one further comment. When you have a department that functions smoothly and provides such good service to the public as Judge Lewis' Probate Court, it takes employees like Kim to make sure that's one, and two other of the employees are in the back, if they'd just stand up for a second so we can recognize them, they contribute and we appreciate your efforts. Chairman Hair said, thank you, keep up the great work.

=====

CHATHAM AREA TRANSIT AUTHORITY

The meeting of the County Commission recessed at 9:18 A.M., and convened as the Chatham Area Transit Authority.

The meeting of the County Commission was reconvened at 10:25 A.M.

=====

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 (*).

None.

=====

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 YEAR END WRAP UP BASED ON AUDIT, BUDGET AMENDMENT AND BUDGET ADOPTIONS FOR ENCUMBRANCES, INCOMPLETE PROJECTS/EQUIPMENT PURCHASES AND FUND BALANCE RESERVES AT YEAR END 1999 FOR ALL FUNDS; AND A GENERAL FUND M&O BUDGET AMENDMENT TO APPROPRIATE UNDESIGNATED FUND BALANCE OF \$335,950 FOR MIDYEAR BUDGET DEFICITS.**

Mr. Abolt said, Mr. Chairman of the Commission, Dr. Thomas, Gentlemen, this is an indication of what the management strategies that you've wholly endorsed from the standpoint of slowing down expenditures has been quite successful. The only adjustment you referred to in the title, we did come to you in January saying that there were certain difficulties in some departments to be able to meet a 5% additional reduction to cover compensation. We're able through the fund balance to allocate the \$335,950 to those departments that are enumerated, but I do want to point out again the success of the slow-down of expenditures and what this will mean to next year's budget, which you'll be deliberating on in the next several weeks. In addition to being able to balance the 1999 Budget with no particular difficulty, we also have identified about two and a half million dollars in fund balance in M&O and just under \$1.4 million in SSD, which, in the past, you might have used to expand on the purchase of vehicles. In this case, giving you an option to balance the 2001 Budget by referring and utilizing the fund balance as I've mentioned.

ACTION OF THE BOARD:

Commissioner Price moved to approve year end wrap up based on Audit, Budget Amendment and Budget Adoptions for Encumbrances, Incomplete Projects/Equipment purchases and Fund Balance Reserves at year end 1999 for all funds; and a General Fund M&O budget amendment to appropriate Undesignated Fund balance of \$335,950 for midyear budget deficits. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

=====

- 2. BOARD DISCUSSION ON AUSTERE BUDGET POLICIES.**

Chairman Hair recognized Mr. Abolt. Mr. Abolt said, Dr. Hair, Dr. Thomas, Gentlemen, this is a matter that I know you are aware of. We are, as I mentioned moments ago, about to embark upon deliberations on your spending plan for the Year 2001, which effectively commences on the 1st of July. I am suggesting to give you maximum options as you begin that deliberation and before you officially adopt the budget, that you seriously look at imposing a freeze on hiring of all positions in the M&O and SSD budgets immediately. That freeze would carry through to the 31st of December 2000; that Staff would be directed this, and then in the next fiscal year, to ensure that we closely scrutinize the purchases of materials and supplies, to ensure that they are absolutely mission-sensitive, and the third, which is reference to an item that'll be coming up later on in your agenda, that you very seriously look at switching from the way in which you pay for services from MPC and for the engineer, when it comes to land-disturbing activities, and make a shift from taxpayer subsidy to, in effect, having those fees fully supported by the people who directly benefit from those services. That 3-prong strategy, in my estimation, is quite essential to preserving your maximum options as you embark upon budget deliberations and I would ask for your general concept and consent.

Commissioner Murray said, Russ, I agree with what you said, but when you made the comment about purchases of just those items that are essential to the mission, shouldn't we be doing that on a day-to-day basis, anyway? Mr. Abolt said, yes, sir, we do it, anyway, and the reason we're able to balance this short 6-months period, we have done that. The budget proposal you're going to receive from me on Monday will restore at a level comparable to 1999 the materials and service acquisitions essential to the

organization. We're taking some very extreme measures - not extreme from the standpoint of new to this organization - but certainly a continuation of what we've done this year into next year, of making sure that when each department comes forward with their material and supply request, it's absolutely essential. I'm confident, and I mean this with no sense of being self-serving or anything more than proud of this organization, this organization, in my estimation, has performed admirably in this transition and the shortened fiscal year. I think we can do this job. I just, in effect, need a little bit of a push, which obviously is there from the standpoint of a policy decision, to make it work. I'm confident that Staff could do it without your involvement, but I think it's appropriate from a policy decision to have you exercise your consensus. Dr. Hair said, just for a clarification, I would suggest to my fellow Commissioners that in case of emergency requests that we use this procedure we used last time, which worked very well, which would be the Chairman, the Vice Chairman, and Chairman Pro Tem, that we would look at those requests and either approve or disapprove, so if there are no objects, I would request that we use that same process again.

ACTION OF THE BOARD:

Commissioner DeLoach made a motion to place a freeze on the hiring of all positions in M&O and SSD effective immediately through December 31, 2000, and direct staff in the next year to closely scrutinize purchases of materials and supplies, and that the Board seriously look at switching from the way we pay for services from MPC and the Engineer regarding land disturbing activities to those services being fully supported by the people who directly benefit therefrom. Commissioner Price seconded the motion. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.]

=====

3. REQUEST BOARD APPROVE THE FISCAL YEAR 2000 MILLAGE LEVY CALENDAR; INFORMATION ON GEORGIA CODE §48-5-32.1 EFFECTIVE JANUARY 2000 ON "ROLL-BACK RATE."

Commissioner Jackel said, this is important and we need to put this out there. Chairman Hair recognized Mr. Abolt. Mr. Abolt said, thank you for the opportunity. This is a complete step with the changes in Georgia law and we want to do this separate on the Individual Action Calendar because of that purpose. The budget proposal that I will make to you come Monday does not rely all on any revaluation. It's based on an estimate on what digest growth might be, solely attributed to new growth, but the state law does say in the event that you wish to use any portion of the digest attributed to revaluation, that you have to go through a process. We are just officially acknowledging that. Your public hearing schedule would be three in number, were you to do that. It's outlined on Page 3. This is all aimed at getting you in a position, if you choose, to adopt both the millage rate and the budget on the 28th of July. And again, the only reason we bring this forward is because of the changes stated.

ACTION OF THE BOARD:

Commissioner DeLoach moved to approve the Fiscal Year 2000 millage levy calendar; information on Georgia Code § 48-5-32.1 effective January 2000 on "roll-back rate." Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

Commissioner Jackel said, Mr. Chairman, I hope it's clear that people understand we're in effect rolling back the millage so any increase in revaluation will not be in our budget, it'll be rolled back to compensate. Chairman Hair said, correct.

=====

4. REQUEST FROM FRANK RUPP, AGENT FOR RACING VENTURES, INC., TO APPROVE A SPECIAL EVENT PERMIT APPLICATION FOR USE OF GRAND PRIZE OF AMERICA AVENUE ON HUTCHINSON ISLAND FOR AN HISTORIC CAR RACE AND SHOW TO BE HELD OCTOBER 27-29, 2000. STAFF RECOMMENDS DISAPPROVAL PENDING THE APPLICANT'S SATISFYING PLANNING AND COORDINATION REQUIREMENTS.

Chairman Hair said, the petitioner has requested that this be removed from the agenda because he needs to get some additional approval. Do we need an official motion to take this off the agenda? The County Attorney said no. Chairman Hair said, okay, we'll remove it.

ACTION OF THE BOARD:

Removed by the request of the petitioner.

=====

5. BOARD CONSIDERATION OF \$3.6 MILLION DCA GRANT AND DECIDE ON WHETHER THE COUNTY WOULD ACQUIRE LAND ADJOINING THE TRADE CENTER AND THEN LEASE IT TO THE TRADE CENTER AUTHORITY.

Chairman Hair recognized Mr. Abolt. Mr. Abolt said, Mr. Chairman, Dr. Thomas, Gentlemen, this is really a culmination of a very successful lobbying effort on your part and others in getting the State to come forward with a very nice sum of \$3.6 million that, in part, goes to development adjoining the Trade Center and, in part, to the 8th Air Force Heritage Center. We essentially have charted out a way in which we feel it's consistent with your wishes to have you accept it, to, in effect, maintain control of the property adjoining the Trade Center with a lease arrangement with the Trade Center Authority, and then, of course, passing on the funds coming forward to the 8th Air Force in a manner traditionally set up to deal financially with the 8th Air Force Heritage Center. Certainly, I think it goes without saying, that the State is to be complimented for this gesture. Chairman Hair said, I think we need to do this. I also think for clarification purposes that we certainly need to maintain title to the land and lease it to the Trade Center Authority, but I also think we need to ask the County Attorney to look at a developmental agreement that will also give us the right, that they would have to come to us for anything they want to do on the property. I think the attorney could draw an agreement with the Trade Center Authority and I think that would protect all parties. Commissioner Price asked, do you need that in the form of a motion? Chairman Hair said, I think we need that in a motion, to direct Staff to do that. Mr. Hart said, as soon as I get it done, I'll bring it back and you all look it over.

ACTION OF THE BOARD:

Commissioner Murray moved to accept \$3.65 million in funding through a Georgia Department of Community Affairs grant; the Board can control full use of the funds and acquire property in the name of Chatham County (this would include negotiating and acquiring property and making improvements as necessary); Chatham County would then enter into agreements with the Trade Center Authority and the Mighty Eighth Board, and directed the County Attorney to look at a developmental agreement with the Trade Center Authority that they would have to come to us for anything they wanted to do on the property to protect all parties. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

=====

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

- ICS - COMPUTER NETWORK ADMINISTRATOR (ONE POSITION)

ACTION OF THE BOARD:

Commissioner Price moved to approve the request to waive the 90-day hiring freeze and authorize Human Resources to advertise the following position: ICS - Computer Network Administrator (one position). Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

=====

VIII. 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.)

ACTION OF THE BOARD:

Commissioner Price moved to approve Items 1 through 10-P of the Action Calendar with the exception of Items 7, 10-A, 10-B, 10-M, 10-N and 10-Q. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

[NOTE: Action of the board is shown on each item as though an individual motion was made thereon.]

1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF APRIL 28, 2000, AS MAILED.

ACTION OF THE BOARD:

Commissioner Price moved to approve the minutes of the regular meeting of April 28, 2000, as mailed. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

=====

2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD APRIL 21 THROUGH MAY 3, 2000.

ACTION OF THE BOARD:

Commissioner Price moved to authorize the Finance Director to pay the claims against the County for the period April 21 through May 3, 2000, in the amount of \$6,635,982. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

=====

- 3. REQUEST FROM DAVIS ENGINEERING, AGENT FOR RIVERBLUFF DEVELOPMENT, INC., TO RECORD THE FINAL PLAT FOR CYPRESS POINT SUBDIVISION, PHASE 2, TO COMBINE THE STREETLIGHT ASSESSMENT DISTRICT WITH THE EXISTING DISTRICT, TO APPROVE CONSTRUCTION OF THE IMPROVEMENTS, AND TO BEGIN THE 12-MONTH WARRANTY PERIOD.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve the request from Davis Engineering, agent for Riverbluff Development, Inc., to record the final plat for Cypress Point Subdivision, Phase 2, to combine the streetlight assessment district with the existing district, to approve construction of the improvements, and to begin the 12-month warranty period. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

=====

- 4. REQUEST FROM DAVIS ENGINEERING, AGENT FOR RIVERBLUFF DEVELOPMENT, INC., TO RECORD THE FINAL PLAT FOR RIVERBLUFF SUBDIVISION, PHASE 3, TO COMBINE THE STREETLIGHT ASSESSMENT DISTRICT WITH THE EXISTING DISTRICT, TO APPROVE CONSTRUCTION OF THE IMPROVEMENTS, AND TO BEGIN THE 12-MONTH WARRANTY PERIOD.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve the request from Davis Engineering, agent for Riverbluff Development, Inc., to record the final plat for Riverbluff Subdivision, Phase 3, to combine the streetlight assessment district with the existing district, to approve construction of the improvements, and to begin the 12-month warranty period. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

=====

- 5. REQUEST FROM STEVENSON & PALMER ENGINEERING, AGENT FOR TRIPLE CROWN DEVELOPERS, TO RECORD THE FINAL PLAT FOR VILLAGE OF WILD HERON, PHASE 2-B, AND TO COMBINE THE STREETLIGHT ASSESSMENT DISTRICT WITH THE EXISTING DISTRICT.
[DISTRICT 6.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve the request from Stevenson & Palmer Engineering, agent for Triple Crown Developers, to record the final plat for Village of Wild Heron, Phase 2-B, and to combine the streetlight assessment district with the existing district. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

=====

- 6. REQUEST FROM STEVENSON & PALMER ENGINEERING, AGENT FOR EAGLE DEVELOPMENT GROUP, TO RECORD THE FINAL PLAT FOR BERWICK LAKES, PHASE 1A, AND TO CREATE A NEW STREETLIGHT ASSESSMENT DISTRICT. [DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve the request from Stevenson & Palmer Engineering, agent for Eagle Development Group, to record the final plat for Berwick Lakes, Phase 1A, and to create a new streetlight assessment district. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

=====

- 7. REQUEST BOARD ACCEPT DONATION OF RIGHT-OF-WAY FROM THE CITY OF SAVANNAH FOR TRUMAN PARKWAY, PHASE III, AND AUTHORIZE APPROPRIATE SIGNATURES ON ALL NECESSARY DOCUMENTS TO IMPLEMENT THE DONATION. [DISTRICTS 1, 2, 3 AND 6.]**

Chairman Hair recognized Commissioner Jackel. Commissioner Jackel said, I just wanted to stress again that we're pushing as hard as we can to get this Truman Parkway done and this is another step in the direction of getting it done.

Mr. Geffen said, just out of curiosity, what exactly would that do? I mean, what is this right-of-way? Mr. Hart said, Mr. Chairman, that's a situation in which the right-of-way for the Truman Parkway goes through part of the City of Savannah. The City of Savannah has approximately 18 parcels which the road will cover. Some of those parcels are remnant parcels. In order for the County to build the road, we've got to have the right-of-way and in order to be able to certify to the Federal Highway Commission that we own the right-of-way, we actually have to own it. We have requested the City of Savannah to donate their 18 parcels of land to Chatham County so that we will be able to certify the right-of-way to the Federal Highway Commission, that we own it. At the conclusion of the construction of that road, we would then deed those parcels of land back to the City, along with the road, because the City's going to have to maintain portions of that.

ACTION OF THE BOARD:

Commissioner Saussy moved to accept donation of right-of-way from the City of Savannah for Truman Parkway, Phase III, and authorize appropriate signatures on all necessary documents to implement the donation. Commissioner Thomas seconded the motion and it carried unanimously.

=====

- 8. REQUEST BOARD APPROVAL FOR CHAIRMAN AND CLERK OF COMMISSION TO SIGN AN APPLICATION REQUIRED BY GDOT THAT STATES CHATHAM COUNTY WILL ACCEPT MAINTENANCE AND ENERGY COSTS FOR THE TRAFFIC SIGNAL AT US 17/SR 25 AND THE PROPOSED WAL-MART DRIVEWAY. [DISTRICT 6.]**

ACTION OF THE BOARD:

Commissioner Price moved to authorize the Chairman and Clerk of Commission to sign an application required by GDOT that states Chatham County will accept maintenance and energy costs for the traffic signal at US 17/SR 25 and the proposed Wal-Mart driveway. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

=====

- 9. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2000. PETITIONER: THOMAS W. WILLIAMS, D/B/A WILLIAMS SEAFOOD RESTAURANT, LOCATED AT 8010 TYBEE ROAD. [DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Price moved to approve the request for renewal of Sunday Sales of beer, wine and liquor pouring license for 2000 by Petitioner Thomas W. Williams, d/b/a Williams Seafood Restaurant, located at 8010 Tybee Road. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

=====

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Change Order No. 2 to the contract to provide security system for the Trade Center for the installation of a time recording system (time clock)	SPLOST	ADT Security Services	\$4,624	SPLOST (1993-1998) - Trade Center - FF & E Budget
B. Change Order No. 3 to the contract to provide telephone system at the Trade Center for additional hardware and software	SPLOST	BellSouth	\$6,470.94	SPLOST (1993-1998) - Trade Center
C. Annual contract with option to renew for two additional one year terms to provide bond counsel services	Finance	Oliver Maner & Gray, Attorneys at Law		Funding requirements will be defrayed from proceeds of each bond issue
D. Confirmation of emergency purchase of 50 gallons of Altosid larvicide	Mosquito Control	Clarke Mosquito Control Products	\$33,000	General Fund/M&O - Mosquito Control
E. Change Order No. 5 to the contract for the HVAC replacement and renovation at the Judicial Courthouse for relocating of piping	Building Maintenance and Operations	Erickson, Inc.	\$3,047	Bond Proceeds - Judicial Courthouse HVAC Replacement
F. Change Order No. 6 to the contract for the HVAC replacement and renovation at the Judicial Courthouse for removal of asbestos material	Building Maintenance and Operations	Erickson, Inc.	\$3,157	Bond Proceeds - Judicial Courthouse HVAC Replacement
G. Deductive Change Order No. 7 to the contract for the HVAC replacement and renovation at the Judicial Courthouse for change in the fittings	Building Maintenance and Operations	Erickson, Inc.	(\$623.50)	Bond Proceeds - Judicial Courthouse HVAC Replacement
H. Change Order No. 1 for the design and engineering services for the new Tag Office facility for mechanical and electrical modifications to the design and engineering	SPLOST	L. Scott Barnard and Associates	\$3,275.54	SPLOST (1993-1998) - Modification and upgrade of Tag Office
I. Annual contract to provide various type of high volume printing requirements	Various	Wynn Business Systems	Varies by item	•SSD - Various •General Fund/M&O - Various
J. Purchase and installation of exterior roof and wall insulation at the Administrative Services Record Storage Warehouse	Administrative Services	A to Z Coating System	\$14,700	General Fund/M&O - Administrative Services

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
K. Contract to dispose of "as required" through a public auction of salvaged vehicles	Fleet Operations	Southeastern Auto Auction of Savannah	•Flat auction fee of \$55 •Transportation , pre-auction and auction preparation fee of \$125	Revenue Producing
L. Confirmation of emergency aircraft repairs	Mosquito Control	Executive Aviation of Savannah	\$18,244.99	General Fund/M&O - Mosquito Control
M. Reject all bids received for an annual contract for uniform shirts and trousers	•Police •EMS	N/A	N/A	N/A
N. Confirmation of the emergency purchase of a network server for the Trade Center	SPLOST	Computer Products Unlimited	\$35,640	SPLOST (1993-1998) - Trade Center - FF & E Budget
O. One-year contract to identify additional Federal revenue sources/ reimbursements related to the Jail and take actions necessary to obtain funding from these sources for the County	Sheriff's Department/ Jail	Justice Benefits, Inc.	N/A. 22% of any additional Federal revenues/ reimbursements obtained as a result of a firm's work	N/A. 22% of new Federal revenues/ reimbursements obtained by the firms for Chatham County
P. Rent space for a small "whip" antenna on the Sallie Mood tower	ICS	Ardis/ American Mobile	\$5,000 - revenue generating	N/A. Revenue Generating
Q. Contract for a management study of the office of the Board of Assessors	Tax Assessor	International Association of Assessing Officers	\$25,000	General Fund/M&O

As to Items 10-C through 10-P, except Items 10-M and 10-N:

Commissioner Price moved that Items 10-C through 10-P be approved with the exception of Items 10-M and 10-N. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

As to Item 10-A:

Change Order No. 2 to the contract to provide security system for the Trade Center for the installation of a time recording system (time clock), ADT Security Services, \$4,624, SPLOST (1993-1998) - Trade Center - FF&E Budget.

Chairman Hair recognized Commissioner Murray. Commissioner Murray said, I know this is not a big expenditure, but I am trying to find why that is a responsibility of the Commission. And the reason I ask that, we don't hire the employees over there. We hire the management team that's running it. To me, it seems like that \$4600 is to keep up with their people, that it would be their expenditure and not ours. Mr. Lynch said, the reason, sir, that we are handling that is because we were responsible for turning over a turn-key operation with all of the equipment, ranging from security systems, glassware, silver, to the Trade Center Authority. We undertook to do the procurement of that and have saved, just as a matter of interest, around \$400,000 by so doing. That is the reason. We're turning it over as a turn-key to the Trade Center Authority. Commissioner Jackel said, let me see if I understand this right. So we, as a governmental agency, are able to go out and purchase this stuff cheaper than they were, but also, we had the expenditure of staff time on that. Mr. Lynch said, we did not hire one additional person; we just worked the heck out of the people we had and they did a magnificent job on it.

Commissioner Murray moved to approve Item 10-A. Commissioner Price seconded the motion and it carried unanimously.

As to Item 10-B:

Change Order No. 3 to the contract to provide telephone service at the Trade Center for additional hardware and software, BellSouth, \$6,470.94, SPLOST (1993-1998) - Trade Center.

Mr. Lynch said B is the same as A.

Commissioner Price moved to approve Item 10-B. Commissioner Thomas seconded the motion and it carried unanimously.

As to Item 10-M:**Reject all bids received for an annual contract for uniform shirts and trousers, Police and EMS.**

Chairman Hair recognized Commissioner Jackel. Commissioner Jackel said, I have some concerns about this. I have gotten a few calls. The report is clear and I think you've done just exactly what you want to. I was concerned on one of the telephone calls that someone said they were using my name somehow involved in this. I've had no involvement in this, didn't know about it until I read the report, and just wanted to state that on the record, and I think the action in here is appropriate.

Commissioner Jackel moved to approve Item 10-M. Commissioner Murray seconded the motion and it carried unanimously.

As to Item 10-N:**Confirmation of the emergency purchase of a network server for the Trade Center, Computer Products Unlimited, \$35,640, SPLOST (1993-1998) - Trade Center - FF&E Budget.**

Chairman Hair recognized Commissioner Murray. Commissioner Murray said, the only question I have on this is why is this an emergency purchase? We knew we were going to have to have one all along, didn't we? Mr. Lynch said, in this case, sir, we did not accurately project that. We were not sure that it was going to be that server. We had funding, had sufficient coverage, no additional to the budget, but we did not identify that there was a specific requirement for a server.

Commissioner Murray moved to approve Item 10-N. Commissioner Price seconded the motion and it carried unanimously.

As to Item 10-Q:**Contract for a management study of the office of the Board of Assessors, International Association of Assessing Officers, \$25,000, General Fund/M&O.**

Chairman Hair recognized Commissioner Murray. Commissioner Murray said, we discussed this about two meetings ago and we even called up to ask some questions before we did any approval. I just don't believe that we had all the information on this that we needed. I'm having some real problems with it now and will not support doing it, I will vote against it. Chairman Hair said, I can assure you, we didn't have all the information. Commissioner Murray said, there are too many things that have come out since then that I just think we don't need to be doing it, period. Chairman Hair said, before I recognize Commissioner Saussy, I share Commissioner Murray's concern. I think that what we should do is put this out to bid and see what's out there. Commissioner Price said, before we do that, can we at least allow Gary to come up here and talk to us about this? Chairman Hair said, Commissioner Saussy, certainly, anybody, absolutely. Commissioner Saussy. Commissioner Saussy said, yeah, I feel the same way. I would have voted against it to begin with. I just don't think we need to do it at all. Commissioner DeLoach said, you don't think we need to do it at all? Commissioner Saussy said, no, I don't, because we've gotten the report from the State. What do we need to do? Why do we need to do this? Commissioner Price said, for one reason, if I may say so, we don't have a commercial audit yet. We haven't looked at commercial property in Chatham County. It's my understanding this will do that. Commissioner Saussy said no. Chairman Hair said, my understanding is from Mr. Griggers, no, it won't do that. No, that's not right. Commissioner Price said, okay, I'm mistaken about that, but that's something we need to do separately. Commissioner Saussy said, yeah, we do need to do that, the State's going to do that.

Chairman Hair recognized Mr. Udinsky. Mr. Udinsky said, I'm not sure I know what's the question. Commissioner Murray said, the question is, what is the real reason that you want this audit done? The real reason. Mr. Udinsky said, the real reason is that it's a national level study that's going to address the – it could address the entire basic practices of the Chatham County Board of Assessors, and it could address it from a level of simply looking at some of the allegations that are out there, to what really needs to be done, and that's a true management report, management audit. You just did a county-wide management study for all the county departments. That management study, for the Board of Assessors, the only thing they could say was that we needed more space. Now, if you want to take that study on its face value, it says that everything else is great. Well, I think that you might disagree with that and if that's the case, then we need a management study from an organization that is intimately familiar with the business of the Board of Assessors. I heard an interesting analogy just a minute ago and that was that you wouldn't hire a mechanic to fix your plumbing and what we're saying is, we need an agency that's familiar with the work that we do to come in and either say that these are the things that are wrong or these are the steps that need to be taken to correct it and, on the other hand, say these are the things that are being done appropriately and should continue.

Commissioner Murray said, Gary, I had some problems with this when we addressed it two meetings ago. And even if – I guess all the discussions that went on that Saturday when we had the meeting down here, the workshop. I said it then and I'm going to say it again now. First of all, I have a feeling that this is going to be used primarily to fight what the State has said the problems are. Now, I don't know why you and the Board of Assessors can't sit down with the state audit team. You say you're right and the State is wrong. Sit down and show them where you're right and they're wrong and they, I'm sure, will come out and say that. But that hasn't been done, and until something like that is done, I'm not willing to spend \$25,000 to do something you're fight about what's been done by the State. I don't want to get in the same situation with the County that this Board of Education has with the State right now. Mr. Udinsky said, Commissioner Murray, I don't think that's the case at all. In fact, I was in a two and a half day meeting with Larry just this Monday, Tuesday, Wednesday of this week, and he asked me to participate in a forum, that I did a session of this thing that he put together. The Department of Revenue and Larry Griggers are adamant supporters of IAAO. They don't have a problem at all with us doing this work. And the fact that whether it's appropriate or inappropriate or whether it would be believable or not, if I produced evidence that contradicts the State's report, that seems to be counter-productive, and I've got to say that early on, we were kind of told, don't defend yourself, you know, we don't want to hear your defense.

Commissioner Murray said, who told you not to defend yourself? Mr. Udinsky said, well, that was information that came to the Board of Assessors from, I don't know which individuals. Commissioner Murray said, are you talking about somebody sitting up here? Mr. Udinsky said, I don't know that for a fact. Commissioner Murray said, because I think everybody up here has said we want to get to the bottom of it, we want this thing straightened out, and the only way I see to straighten it out is to have both sides

talking to each other, the State and yourself and your Board. Otherwise, it's not going to get worked out and we're going to continue to throw money into it and we're going to continue to have the residents of this community upset. Mr. Udinsky said, well, the last meeting that we had with the Department of Revenue and a letter that has come since from Jerry Jackson essentially says exactly that, that of the five issues raised, three of them are non issues. The other two that are still out there, reasonable people looking at the same information can come to differing conclusions. That's essentially what we sent to Commissioner Jackson. Commissioner Jackson wrote back and said – and, by the way, in that same letter, we said even though different people can look at this stuff and come to differing conclusions, it'll still be resolved, come in and look at the 2000 digest in as much detail as you want. Commissioner Jackson wrote back and essentially said he appreciates our cooperativeness and he will be reviewing our 2000 digest. So, from the State's perspective – and I asked Larry this directly – they're done at this point. They're going to be looking at our 2000 digest in some detail. That'll happen some time well after it's submitted. I'm sure it'll happen sometime during Calendar 2001, but from the State's standpoint, this issue is done. We're asking for this work from IAAO to help give direction and understanding and maybe a better public understanding of what the work of the Board of Assessors should be.

Chairman Hair said, here is my comment before I recognize Commissioner Price. Mr. Udinsky, I believe when we were here two meetings ago discussing this, I think it would have been very appropriate at that time had we been told, not only were you a member of that organization, but you also were running for office as a director of that organization, and while there may not be anything technically wrong with you being on a board of a group that's auditing your office, I think it does not pass the duck test and I just think that, also, you know, I've been in this kind of business, and to say that this is the only group in the whole country that has the expertise to come in here and do this audit, I don't think is accurate. I mean, I think there are a number of groups that could do this and my suggestion to the Board would be that we put it out for bid. If the IAAO or whatever this organization is called, if they want to bid on the project, let them bid on the project, and if they happen to be the best person and the lowest bid, I have no problem with that, but just to come in as a sole source and recommend a group that you are running for the Board of Directors on – I mean, we were not told that. We were not told that two meetings ago. I did not know that until yesterday, actually.

Commissioner Price said, well, we did know he was a member. Chairman Hair said, yeah, but I did not know that he was running for the Board of Directors. Mr. Udinsky said, I understand that there's been a letter circulated that I haven't been privy to that makes a number of allegations about me personally and though I haven't seen the letter, I don't have a copy of the letter, some people have given me some indication of what the content says. Let me say first of all that I'm a member of the IAAO, Larry Griggers is a member of the IAAO. I served on at least two of Larry Griggers' own committees. Now, because I served on those committees, does that make Larry Griggers' work that he did here in Chatham County any more or less accurate? No. Because I serve on some committees of the IAAO, is that going to make their work any more or less accurate? The fact that I'm running for a board position, I've got to tell you, I've run before and lost. This election won't even take place, nor, if I'm fortunate enough to get elected, I wouldn't even become a board member until well after this report is supposed to be finished. Chairman Hair said, I totally understand that. And as I said, there's nothing technically wrong with that. I'm just saying, though, that it seems to me that there are a number of other organizations out there and/or individuals that clearly could do this job, and we don't know if they could do it cheaper or not. What I'm saying is, as I said, let's put it out to bid. If this group wants to bid, let them bid, and if they get the job, great, I have no problem with that point. I just think it's more of an arm's length transaction at that point, rather than coming up and recommending an agency and not recommending anybody else. Mr. Udinsky said, there will be nothing wrong with that. Let me just say, the only reason that the approach was taken that was taken was really, two-fold. Number one is that the IAAO, whether we want to agree with that or not, is recognized by Larry Griggers and the Georgia Department of Revenue and every other state as the preeminent source of this kind of work. Now, that's number one. And number two is, the Board of Assessors wanted to fast-track this because they wanted an answer, they wanted a finished product before the digest is submitted. The digest has to be submitted, by law, by August 1st, so we wanted to get something going as quickly as we could, to get an answer as quickly as we could.

Chairman Hair said, okay, Commissioner Price, Commissioner Odell, and then Alderman Liakakis also wants to speak. Commissioner Price said, Gary, this work that we're talking about here ..(inaudible).. what the Department of Revenue has looked at, take a look at your overall management of the Assessors Department, is going to look at the residential work that was done by the State coming in. What I have a problem with, and why I think this is premature, because we haven't done, and I ..(inaudible).. it out earlier in my misunderstanding of this contract, we haven't done the commercial – the State hasn't come in and looked at the commercial properties to determine, you know, if they fall in line. They haven't done their audit of the commercial property. Mr. Udinsky said, I don't believe the State's going to do that at this time. Commissioner Price said, well, I think the State's playing games, then, and I'll tell you why, because in that, a lot of these commercial properties are owned by big organizations that I'm sure are adding money to PACs and all kinds of that type of stuff, and so that taints the State's own ability to come in and say what they said about our assessors, about our department. I guess what I'm saying is, why is the State reluctant to go ahead and do this thing? What were they going to do, the residential and leave the commercial alone? Mr. Udinsky said, that's a question to ask. Commissioner Price said, every single property owner in this county ought to look at that and say what's wrong with this picture, and they ought to write to Larry Griggers and write to Roy Barnes and say, what's going on here? Are you going to come in and do the residential, but you're not going to do the commercial? Give me a break. That smacks of old politics, if anything else does. And that's why I think this is wrong to even go through this process at this time until we know from the commercial side of things, and I know you stand by your work, and I'm glad that you do, but we need to do that, and if there are commercial properties out there that are undervalued or not fairly assessed, we need to know that.

Commissioner Odell was recognized and said, Russ, this is going to be for you. Were all departments included in the management study? That would include – what are some of the departments? Mr. Abolt said, you will recall that you had a request from the Judiciary and the District Attorney not to be included. They were not included. Commissioner Odell said, and the District Attorney, what did we use for that? Mr. Abolt said, you did not use it. Part of your budget deliberation coming up will be whether or not you wish to apply the management study to those departments. We have them costed out and it's your choice whether you include it in next year's budget. Commissioner Odell said, but the primary, do we have a primary or a single bidder? Like for the D.A., there's a D.A. Association. Mr. Abolt said, yes, sir. I don't know if I have it in front of me or not. There is an organization that had been identified, I believe, in the case of the Chief Judge and also by the District Attorney and possibly contributed by other

Judges, as reputable to do the type of study of their respective areas of responsibility. Commissioner Odell said, I guess the point, then, is that I see no reason to criticize the Tax Assessor's office for using their national organization to do the study in that other departments, i.e., our court system and our D.A.'s office, have basically recommended the same thing. Would that be a true statement, Russ? Mr. Abolt said, yes, sir, but it's your choice.

Commissioner Odell said, okay, the follow-up question is that the Tax Assessors were not included as part of the management study? Mr. Udinsky said, well, the office was, but the findings were limited to – Commissioner Odell said, you need more space. Mr. Udinsky said, essentially that was it. Commissioner Odell said, okay, so if we left it at that, that gives assurance that if you balance that against the Governor's report that there were no problems. Is that true? Mr. Udinsky said, it would give that appearance. Commissioner Odell said, your objective in doing this is (a) to do an audit of the internal management of the department? Mr. Udinsky said, that's part of it, yes, sir. Commissioner Odell said, how many other organizations or groups, to your knowledge, that provide the kind of detailed consultant work that's been requested by the IAAO? Do you know of any others? Commissioner Saussy said, if he's not a member of any others, how would he know? I'm cross-examining you. Commissioner Odell said, and I'll address that. My question's not whether or not he's a member of any other department, my question's whether or not he knows of other groups through his involvement in his Association who would do the consultant work, the kind that he's requesting, other than IAAO. Mr. Udinsky said, there are certainly consultant companies throughout the United States that we could find that would be willing to bid on doing this work. Their report would – the final product wouldn't carry the weight that a report by the preeminent source of these types of projects would carry, if it was written by the IAAO. It's kinda like saying, can you get a degree in business from some small local school and would it have the same weight and stature as a degree from the Harvard Business School. Commissioner Odell said, right, but I guess nationally, it would not, but locally, there is a smell test problem and the smell test is that it appears that the mother cat is going to come in and examine one of her kittens and that you are a member of the organization and even though we have considered that for the D.A.'s office and our court system, so that we do not have that question of impropriety, I think the general consensus is that it should be an organization in which you are not running for director, and the reason is that – so that you could not exercise any influence over the ultimate result. I'm not saying that you would, and, Gary, I know you, I would like to state that I don't think that you would, but I think we're at a point where there's a issue of credibility and if we are to go forward with this report, in light of what Ben said, and that is, that industrial property has not been fully audited, that the consultant who is coming in should pass the smell test. There should be no connection with Gary Udinsky, no connection with anyone on the Board, and that way, when the report is released, I think from a community standpoint it has greater credibility. Because it'd be ironic if they could come up with the same thing, Gary, but if you were running for director, it taints the appearance of the group, and if we're going to spend the money, I don't want the report tainted. Mr. Udinsky said, I don't have any objection to putting it out for bids. The reasons that I stated for not putting it out for bids are the reasons, and if we don't mind not getting the report as quickly and we don't mind seeing what the bids are and letting all bidders bid freely, then putting it out for bids is not a problem. Commissioner Odell said, I'll yield.

Chairman Hair said, okay, I'm going to recognize Alderman Liakakis, Ms. Taylor, Commissioner Saussy and Commissioner Jackel. Commissioner Murray said, I thought we spoke first. Chairman Hair said, well, do you want the Commissioners to speak first? Commissioner Murray said, I thought we always did. Chairman Hair said, okay, Commissioner Saussy, then Commissioner Jackel; go ahead, Commissioner Saussy. Commissioner Saussy said, on this situation with the commercial property, I thought we had already made clear to the State that this needed to be done. Chairman Hair said, I was told that they were told. Commissioner Saussy said, if it has not, then we need to have a resolution to them or something stating that we do want this done from this Board, and I would propose that at this point. Commissioner Price said, Gary, tell us why you don't believe we're on the verge of getting that done, starting the work to do that. Mr. Udinsky said, I'm hearing from the Department of Revenue that that is not going to happen at this time. Commissioner Price said, why? Mr. Udinsky said, I don't know. Commissioner Price said is it because of election? I mean, is it that blatantly obvious, that the residential is such great political fodder and the commercial properties is something that, you know, why upset the apple cart, especially when they're going to contribute to my campaign? I mean, what is this? Commissioner Jackel said, and where is their contributions? Chairman Hair said, I do think that Commissioner Saussy's suggestion is – I do think it would be good for us to go on record. I was told that they were going to do the commercial property. Commissioner Rivers said, Mr. Chairman, could we go ahead and make a request to have that done? Commissioner Saussy said, I make a motion that we do that. The motion was seconded by Commissioner Rivers and the motion passed unanimously.

Chairman Hair said, okay, now we'll get back to Commissioner Jackel and then Alderman Liakakis. Commissioner Jackel said, I've been sitting here listening to Commissioner Odell talk about this thing. First, I find it very interesting. We have Chief Sprague sitting out here and he has – we have complaints against police officers. He has an Internal Affairs Division that's run by the police officers and they investigate. I believe the City of Savannah does the same way. We don't have an outside force that comes in and says, we're going to investigate every police complaint. Now, if you talk about total acceptance, maybe you ought to make a motion to do that. Now, I think any accounting group or any national organization that we're talking about here has a firewall built between their auditors and their organization. If they don't, then they're wasting their time. And I believe Chief Sprague has a firewall built out there so his people who investigate know that they're free to investigate and get to the bottom of it, and he insists on that, so it is fair and impartial, even though it is within the police department. And I know that's the way he operates and we're all proud of the way they operate. I think we may have a red herring here. I mean, it makes good sound bytes that he's a member of that organization, but we encourage him to be a member. We know he's a member. We have an internal auditor. We don't bring in outside auditors for everything. We all respect Reese back there and know the good work he does, and this is a red herring. If you all want to put it out to bid, I have no objection to that. You want to let the other groups? That's fine, but, you know, this is a nationally recognized organization. The Bar Association, what does it do, that I belong to? It investigates itself. It doesn't bring in outside auditors or outside people when there's a complaint against an attorney. I just think that's the way things are done. If you can explain to me another group that does it a different way, that doesn't do it internally, without a firewall, I'd like to hear about it, but I don't think that's the way it's done. I think this is a red herring, but that doesn't mean I'm opposed to putting it out to bid, but let's look at it for what it is. Just because he's a member of a national group and they have an investigation auditing department, I'm sure those auditors say to themselves, we're independent, we're going to go in and do the right thing. If not, they

ought not be auditors, but I'm sure that's what they do, and I'm sure they, in turn, are audited and hold themselves to professional standards, so I don't think that's the question here.

Chairman Hair recognized Alderman Pete Liakakis. Mr. Liakakis said, thank you. In this report that's being requested, listed here, it says review and analyze statistical and procedural data and information provided by the State of Georgia. The next thing it says, respond to each specific allegation as necessary. What I'm just asking the County Commissioners to think about this, that the state auditors came in here because there were some concerns. The state auditors came to Chatham County on two different occasions to look at the assessment procedures, policies, and so forth. They listed a number of concerns that they had, and I feel this, instead of wasting \$25,000 of monies to do another audit, that the state auditors – they're not just here to crucify the Tax Assessor's office of Chatham County; they're looking out after the best interests of the people of the State of Georgia, including Chatham County residents, and to have the state auditors come again and meet with the Board of Equalization and meet with the Board of Assessors, and go point by point on each particular concern, and that way, you can look at it. If there's discord then and some problems with it, then you might want to consider to go out and do an audit, but an audit right now for \$25,000 again, spending taxpayers' money, I personally believe that it could be a waste of money, but the state auditors can be requested to come back down, work on this again, work with the Tax Assessor's office, and hopefully come out with a solution and get some procedures corrected if they're not being done right, and get the interpretation correct. Thank you.

Chairman Hair said, thank you, Alderman Liakakis, and recognized Ms. Taylor. Ms. Taylor said, thank you. It is in response to my letter to Dr. Hair. We do feel this is a waste of \$25,000 of our money. One, originally, I understand that the scope of the audit has been changed somewhat by Mr. White, but the original scope of the audit was, what looked like to us as citizens and taxpayers, a defense for this upcoming lawsuit that has been brought by another group, and it specifically was designated to address the problems that the Department of Revenue brought up. We sincerely believe that the Department of Revenue did a superb job of auditing. Our Board of Assessors has done nothing but deny, deny, deny that they've done anything wrong, and they've also refused to accept any suggestions on making corrections. At the public workshop meeting, they were very much against spending \$25,000 to do a public confidence awareness thing for the people, and they don't want to spend \$25,000 to get an audit done by a group that Mr. Udinsky's a member of and is seeking an office for. They have proven that there's 37% of the properties residential properties in this county are not correct. Rather than sit down and say, okay, let's get these on the computer and let's get them correct and let's get these people paying their right amount, uniform taxes, they're fighting it. From our research, we found that there's almost 60% of the commercial properties, some of them haven't even been changed in 10 years, and some of them have been increased and then reduced, and these are people that are special people, that are given special deals, and we're tired of it, just simply tired of it. We need to have you, our elected officials, do something seriously and show us that you are responsible and really going to do something about correcting these outrageous taxes. They need, this all needs to be fixed before the Stephens-Day bill goes in so that it will be fair. We're not against paying our taxes; we just want it uniform and fair. Thank you very much.

Chairman Hair recognized Commissioner Rivers and then Commissioner Murray. Commissioner Rivers said, Mr. Udinsky, have you started correcting those inequities that came down – and I want to be sure I'm correct in what I'm asking – I understood that in a taxing neighborhood some of the percentages are off. Have we looked at those that were off and have we begun to correct any of those that were off? Mr. Udinsky said, Commissioner Rivers, my staff is working mandatory overtime. They have canceled all leave as of several months ago. The 2000 digest, the conversion project will be complete. All commercial properties as well as residential properties will be in the new computer system at the level that they need to be in there. That's not the question that these people are asking. It is a masterful job of a misuse of information. Commissioner Rivers said, okay – Mr. Udinsky said, if I may, I'm sorry, I have sat back long enough, and the time is now. First of all, you were at the workshop. The Board of Assessors never ever said they weren't going to do the public information activities. The opposite is true. And the report from the fellow who led this session will show that it's true. They want to do it. The fact is, it's going to cost a lot of money and we're going to come to you and ask for the money, but that's okay. If you want to do it, you'll give us the money, we'll do it, if not, we won't. The 37% number that's being thrown around as far as neighborhoods that are not accurate, by the Department of Revenue's own numbers, they even admitted that they were looking at neighborhoods that had samples smaller than they should be looking at. If you use a sample, the numbers that they want to look at now, it's around 21%. Well, at the time, the people said, well, big deal, difference between 37% and 21%. The fact is that neighborhoods will always have statistics that aren't right because you don't ever have enough information to get every one of them right every time. The Department of Revenue understands that, I understand that, everyone in our profession understands that. Every neighborhood will be as right as it can be, given the level of data we've got. Will every neighborhood has statistics that is right? No. There'll always be some that are wrong. The appraisal of property for the mass appraising is a statistical study. We may not like that, but that's the way it is. It's statistics, and statistics, you will never been 100% accurate. You can't be. It's statistically impossible. Is 21% outside of those statistics that are, quote/unquote, right? Is that an acceptable range? That's debatable. So the answer is, every property will be on the system as of June 15th of this year, but will you have every neighborhood absolutely right every year? Probably not.

Commissioner Rivers said, I understand that, that you won't get every neighborhood correct, but wherein you have inequities in property within specific neighborhoods, what we're looking for is to be as equitable as possible prior to the Stephens-Day bill coming in, so that most people will be close to being uniformly taxed. Mr. Udinsky said, the answer is, they'll be as good as they can be, but you've got so many competing interests. The Board of Equalization, for instance, changed the values on 1,000 properties. Those thousand values, those thousand properties, are going to have values that are different than the values that are established by the Board of Assessors. They're going to be frozen under Stephens-Day at the Board of Equalization's value. Now, is that right or wrong? I don't know. I don't think it is. I'd be unhappy if – Commissioner Rivers said, but I think when you see those things within a neighborhood, if you have a neighborhood and it's been changed by Equalization, then those things need to be spelled out so that when you look at the percentage of differences, you can bring that into play, that this is what has caused this inequity. Mr. Udinsky said, it is, it is in the system that way right now. Commissioner Rivers said, I think if people can see that, then they can understand abnormal things that's not the norm and they can understand it and deal with it. How are we looking on commercial property? Mr. Udinsky said, we're reviewing all the commercial properties that need to be reviewed. A number of commercial properties, we're changing the way we value them. It is going to be interesting to see whether those values will be

supported by the BOE. Frankly, I have my doubts, but that's beyond my control. But all commercial properties are also being completed in this digest cycle.

Commissioner Rivers said, one other thing I would like to say. Instead of us having confrontations, I think that those things that we see where somebody else suggests that they're wrong, then we need to spell that out to get the answer in that and the reason for it and maybe people will understand it. We need to have a little better meetings of the mind than the confrontations that we have over certain things happening and not happening. Mr. Udinsky said, Commissioner Rivers, I couldn't agree with you more, but a prime example of the problem is, the allegations made against me – I guess everyone in this room has a copy of it except me – didn't even come to me. I found out about it through accident. Commissioner Rivers said, I think what you have to do, you know that you're in a position that people are going to shoot at you and when we get shot, yes, we hurt and we pain, but we have to overlook some of that sometimes because of the position that we're in and not become combative. You know, we can lash out, but sometimes we have to ease that thing out. You've got your hands in the lion's mouth. My mother always said, ease your hands out of the lion's mouth. Commissioner Jackel said, that's good advice.

Chairman Hair said, I have a question, Gary. Did I – I want to make sure I heard you correctly. Did I hear you say that there is a 21% error? Mr. Udinsky said, what I said was that if you take the neighborhoods that have significant statistics – a statistically significant number of samples and you only consider them and you only look at certain statistics, 21% of the neighborhoods have statistics outside of that range. Chairman Hair said, but you said that in response to the 37. You said you don't think the 37's right, but you said you – what I heard you say was 21 would be statistically correct. Mr. Udinsky said, no, and I even have a problem – what I'm saying to you is, if you look at neighborhoods that have statistically significant samples, 21% of them will have statistics that are outside of compliance, if that's the words you want to use. That doesn't mean they're wrong.

Chairman Hair said, did you also say that – I thought I heard you say that you didn't know if 21% was acceptable or not. Did I hear you say that? Mr. Udinsky said, that's right, and let me explain to you why that is, and this is a study in statistics, and I'm sorry that I have to do this at this time, but I'll have to take your time and do this. Statistics and certainly the statistics we use, and you mentioned a minute ago, consider a normal If you said that we were going to be perfect, perfect is a ratio of 40%, if you said we were perfect, and if you said that we were going to allow the distribution around that perfectness to be the State's approved level, 15% or so, okay, that's about two standard deviations, if you're all familiar with that, well, within two standard deviations, you get about 67, 68, or 70%. I don't know the exact number, within two standard deviations in a What does that mean about all the other guys? They're outside of two standard deviations, right? So even if you were perfect under the State's way of doing things, you're going to have outliers. You're going to have outliers in the range of 20 to 30%. They are unaccountable for in the statistical model that we here in the State of Georgia use, so even if you wanted to say that 21% were outside of the range, is that wrong or bad? I don't know. Chairman Hair said, well, can I ask you a question about that? If we were to ask Mr. Griggers, does Augusta and Columbus and Macon and Atlanta, do they have 21% outside the range, or do they have 2% or do they have 40%? How do we compare with – Mr. Udinsky said, his answer would be, I know, because I've asked the question, his answer is going to be he doesn't know, and the reason he doesn't know is, the State doesn't look at sales ratio studies, and that's what we're talking about, on a neighborhood by neighborhood basis. What they do, and what they've always done for Chatham is, they look at the whole county, and they run a study for the whole county, and for the whole county, they force you to be within this little niche, and we have always fit and every other – not every other county, but most other counties have always fit within that little set of parameters that they've established on a county-wide basis, and why don't they do it on a neighborhood basis? That's an interesting question. Why wouldn't you ask that question of the Department of Revenue, why don't you do it on a neighborhood basis? Because it doesn't matter. They know there are going to be outliers, and the reason – and the way they eliminate that is, they do a county-wide study. The reason they don't go neighborhood by neighborhood is, it doesn't matter, because there are going to be guys that lie outside the parameters. They know that. It's like saying, why don't we look at every single sale that happens, and if every single sale isn't your value right on that sales price, where don't we criticize the counties. Well, because that's not the model that they're using. They're using a statistical model that looks at the whole.

Chairman Hair said, but that model doesn't say 40, it says 36 to 44, which is a pretty wide range. Mr. Udinsky said, it says the sales ratio should be 36 to 44, but it says you can't have any more dispersion around whatever the median is than 15% for residential properties. Chairman Hair said yes. Mr. Udinsky said, so you will have properties that lie outside of that dispersion. There's no question about it; you will have it. This is a statistical model. The Department of Revenue recognizes that the statistics are based on a confidence interval of 95%, okay? So they're already saying that they're only going to be 95% confident that the ratio is whatever they say it is, or the confidence interval somewhere around 95%, around that ratio. Commissioner Odell said, there's no correlation between the 79% and the 91%. Those are two different numbers, two different families. Mr. Udinsky said, I'm confused, ask me again. Commissioner Odell said, we're 21% – Mr. Udinsky said, oh, yeah, and there's no correlation. Mr. Udinsky said, I don't know the exact number off the top of my head, but there is a number that will be outliers, that's right. Commissioner Odell said, and I know you just referred to the 95%. What is the correlation between those two? Mr. Udinsky said, that has to do with the confidence that you're willing to place in your statistics.

Chairman Hair said, Mr. Geffen wants to ask a question. Mr. Geffen said, I was wondering, it sounds like there are two different methods that are being used to assess the land. Right? The State's using one and you all are using another. Correct? Mr. Udinsky said, no. Mr. Geffen said, what's going on here? The State came to one conclusion and you all came to another? Mr. Udinsky said, no, it has to do with – the State came in and they didn't look at those specific issues. They came to five conclusions. I don't know if I can remember them off the top of my head, but the first one was that we weren't doing anything that was outside – that was counterproductive to the governmental rights. That was the first thing. The second thing was that there was some cases of sales chasing and sales chasing is a very specific assessment practice that's measurable. There were cases of 48-5-299-C, which is a code section that deals with freezing property values upon appeal, that our interpretation wasn't their interpretation. There were cases where there was preferential – there was the appearance of preferential treatment of certain properties or property owners. And I can't remember the fifth one. There was a fifth one. I can't remember it off the top of my head.

Mr. Geffen said, I was just kind of wondering, you know, like why doesn't your Board, you know, call on the State and discuss the two differences, the differences in views? It seems like that would be the easiest method of resolving this issue, because, I mean, first of all, you don't have to spend \$25,000 in calling a different, you know, organization to do it. Mr. Udinsky said, that's a great observation and let me just follow that observation up with what has happened so far, and it's kind of a funny story, almost. They come in and do this work and, without any help or any input, they send us a report. We send them back our interpretation of all this stuff, you know, where we think there might be factual errors, and we do that in anticipation of meeting with them. We did that, frankly, at my suggestion, and some of my Board members said, don't send them that. Why give them your cards? Why tell them what your hand is? Well, I said, it's the fair thing to do, it's the right thing to do. Just because they didn't prepare us for their report doesn't mean we shouldn't prepare them for our meeting. Right? So I sent it to them. So guess what? They come to our meeting and they bring a whole new set of data. They don't address the original report, they don't address my addressing of the data they used. They bring a whole new set of data. Mr. Geffen said, why not just ask them to address that data, then? It's like what's happening here is like – it sounds like you or the State or you guys are like avoiding just, you know, confronting each other. I mean, it's like a goose chase; you're chasing for some answer, you know, that's not going to get told, because either the State is going to give some more data that you all don't have or, you know, you all are just going to have some problems with other things. It just doesn't seem like there's a reasonable – Commissioner Price said, good observation. Chairman Hair said, continue, if you'd like. Mr. Geffen said, no, I'm finished.

Chairman Hair recognized Commissioner Murray. Commissioner Murray said, Gary, you made a couple of comments. One was that Larry Griggers is now saying that everything is fine basically. Four of us met with him after all this came out and the impression I got was that everything was not fine, that they still stand behind their report and that allegations and what they said and what they determined based on information that your office had given them to look at. Now, you know, we don't need to debate it back and forth, but I just want people to understand, that's not what we're being told by him personally. Mr. Udinsky said, I've got a letter from Jerry Jackson if you'd like me to read it, but essentially -- Commissioner Murray said, no, I hadn't talked with Jerry Jackson. Mr. Udinsky said, Jerry is Larry's boss. Commissioner Murray said, well, that's fine. I'm just talking about what Larry told those of us that met with him. I think we still have some problems and I agree with Mr. Geffen, and it's something I've been asking the whole time, why don't the two groups sit down and resolve the differences and let's move on forward. That hasn't been done but, regardless of all that, I will make a motion to deny the \$25,000 request. The motion was seconded by Commissioner Saussy and the motion passed unanimously.

Chairman Hair said, Commissioner DeLoach wants to make a comment and then we'll vote on the motion. Commissioner DeLoach said, I was at that meeting we had with Mr. Griggers. After that meeting, Mr. Griggers was supposed to write us a letter and as of today, we have not received that letter outlining what problems he had with the county. He went over them that day and we asked him specifically to write us a letter stating it, so that we could walk to the Assessors and say, we want these answers to these situations right here, this is what we want. He has yet to write a letter and it bothered me, so I turned around and I called Larry Griggers and I said, you haven't written me that letter, Mr. Griggers. Oh, I had a death in the family and all this other stuff and I hadn't gotten to it, but in two days you'll have that. Two days is two weeks now. I have not received that letter. We all asked for a copy of the letter, e-mail, whatever was easiest for the gentleman to do but, as of today, we haven't received that letter and we were going to use that specifically. Us four were going to walk in and say, we would like the answers to these questions in public so that we can clear this air and move on. We have not gotten it, unless you all got one that I didn't get. I called the man and asked for it and we haven't received it yet.

Commissioner Rivers said, I wish that you all would share that information with the rest of the Board. Chairman Hair said, I'm not aware that you met with Mr. Griggers. Commissioner DeLoach said, David, myself, Martin, and Frank was there. Commissioner Jackel said, one of the questions I asked at that meeting that I didn't feel like I got satisfactory answers from Mr. Griggers was that the State comes down and audits the Assessors every year, just as they audit every Assessor in the 159 counties in Georgia, and the last audit, what we got, we weren't given any problems with. I said, what problem — and to my knowledge, we never got a satisfactory answer. I think he's somewhat at cross purposes on this thing and then he comes back and finds problems when he said in your general audit he didn't find any problems. Commissioner DeLoach said, I just want the man to answer me.

Commissioner Price moved that Items 10-C through 10-P be approved with the exception of Items 10-M and 10-N. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

Commissioner Murray moved to **deny** Item 10-Q. T motion was seconded by Commissioner Saussy and the motion carried unanimously.

Commissioner Jackel said, I'd like to make an alternate motion. I'd like to say that we put this out for bid and see what bidders we have. As I remember what went on with this thing, we specifically instructed Mr. Udinsky to come up with a plan to help restore public confidence in the Assessor's office and part of the plan he came back with was, let's get an outside audit to look at this, and that's why I think we originally approved this. I would make a motion --we instructed him to do that, to formulate a plan, and we approved all of it, and this was one of the pieces of the puzzle, and so I would make a motion that we go out and have a bid process for an independent auditor and have one selected by General Lynch and his staff -- would it be General Lynch? Mr. Abolt said it would be staff. Commissioner Jackel added, with staff, and make the decision. The motion was seconded by Commissioner Odell. Commissioner Saussy said, I don't think we need this audit, especially until we get the commercial done.

Commissioner Jackel made a motion on Item 10-Q that staff, through our regular bid process, go out for bid for an independent auditor. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Jackel, Odell, and DeLoach voted in favor of the motion. Commissioners Saussy, Rivers, Murray, Price, and Thomas voted in opposition. The motion **failed** by a vote of five to four.

Commissioner Price moved on Item 10-Q that commercial properties be finished as the residential was and then we go out for an audit. Commissioners Murray and DeLoach seconded the motion and it carried unanimously.

County Attorney Hart said, in regard to the last motion of Mr. Price, for purposes of clarification to Staff, is that time to get the commercial information in the digest or is that for a time for the State to have come down and completed their audit of the commercial property? Chairman Hair said, for the State to complete the audit. Commissioner Price said, for the State to do that. Chairman Hair said, for the State to complete the audit before – Commissioner Price said, we had a previous resolution requesting the State to come do that and now we're saying once that's finished, go out and do – Chairman Hair said, so once the State audit's completed. Mr. Abolt said, I appreciate the attorney's clarification.

ACTION OF THE BOARD:

1. Commissioner Price moved that Items 10-C through 10-P be approved with the exception of Items 10-M and 10-N. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
2. Commissioner Murray moved to approve Item 10-A. Commissioner Price seconded the motion and it carried unanimously.
3. Commissioner Price moved to approve Item 10-B. Commissioner Thomas seconded the motion and it carried unanimously.
4. Commissioner Jackel moved to approve Item 10-M. Commissioner Murray seconded the motion and it carried unanimously.
5. Commissioner Murray moved to approve Item 10-N. Commissioner Price seconded the motion and it carried unanimously.
6. Commissioner Murray moved to deny Item 10-Q. Commissioner Price seconded the motion and it carried unanimously.
7. Commissioner Jackel made a motion on Item 10-Q that staff through our regular bid process go out for bid for an independent auditor. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Jackel, Odell, and DeLoach voted in favor of the motion. Commissioners Saussy, Rivers, Murray, Price, and Thomas voted in opposition. The motion **failed** by a vote of five to four.
8. Commissioner Price moved on Item 10-Q that the State complete the audit of the commercial properties as the residential was, and then we go out to bid for an audit. Commissioners Murray and DeLoach seconded the motion and it carried unanimously.

=====

IX. FIRST READINGS

<p>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.</p> <p>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.</p>

1. **AMENDMENT TO THE LAND DISTURBING ACTIVITIES ORDINANCE (LDAO) TO DELETE THE FEE SCHEDULE FROM THE LDAO WITH A NEW SCHEDULE FOR FEES TO BE CHARGED BY THE DEPARTMENT OF ENGINEERING.**

Read into the record as First Reading.

=====

2. **AMENDMENT TO THE CHATHAM COUNTY REVENUE ORDINANCE, ARTICLE S, ENGINEERING FEES AND ARTICLE V, APPEALS, REZONING, DEVELOPMENT AND REVIEW FEES.**

Read into the record as First Reading.

=====

- 3. **PETITIONER, TOM HANSEN, AGENT (FOR ELIZABETH A. JOHNSTON, OWNER) IS REQUESTING TO REZONE A 20,000 SQUARE FOOT PARCEL FROM AN R-1-A (ONE-FAMILY RESIDENTIAL) CLASSIFICATION TO A R-A (RESIDENTIAL-AGRICULTURAL) CLASSIFICATION TO ALLOW A MOBILE HOME TO REMAIN ON A SITE. A MOBILE HOME WAS ALLOWED ON THE SITE UNDER THE MEDICAL HARDSHIP PROVISIONS OF THE COUNTY ZONING ORDINANCE APPROXIMATELY 15 YEARS AGO. AT THE PRESENT TIME THE HARDSHIP PROVISIONS DO NOT APPLY. THE MPC RECOMMENDED THAT THE REQUEST BE DENIED BASED ON ITS INCONSISTENCY WITH RECENT REZONING ACTIONS FOR THE HARROCK HALL AREA AND THE ADVERSE PRECEDENT THIS WOULD ESTABLISH IN THE AREA.
MPC FILE NO. 00-219-C
[DISTRICT 1.]**

Read into the record as First Reading.

=====

- 4. **A TEXT AMENDMENT TO THE CHATHAM COUNTY ZONING ORDINANCE TO ENACT A WAREHOUSING PARKING SPACE STANDARD UNDER SECTION 6. OFF-STREET PARKING AND LOADING REQUIREMENTS, SUBSECTION 6-3. OFF-STREET PARKING REQUIREMENTS. THE MPC RECOMMENDED APPROVAL OF THE TEXT AMENDMENT.
MPC FILE NO. 00-181-C
[NO DISTRICT/TEXT AMENDMENT - UNINCORPORATED AREA.]**

Read into the record as First Reading.

=====

- 5. **TEXT AMENDMENT: THAT SECTION 3-7. VISION CLEARANCE AT INTERSECTIONS OF THE CHATHAM COUNTY ZONING REGULATIONS BE AMENDED TO PROVIDE FLEXIBLE VISION CLEARANCE STANDARDS TO OBTAIN ADEQUATE VISION CLEARANCE BASED ON THE PHYSICAL CONDITIONS OF THE INTERSECTION AS APPROVED BY THE COUNTY ENGINEER. THE MPC RECOMMENDED THAT THE REQUEST BE APPROVED.
MPC FILE NO. 00-150-C
[NO DISTRICT/TEXT AMENDMENT - UNINCORPORATED AREA.]**

Read into the record as First Reading.

=====

X. SECOND READINGS

- 1. **A TEXT AMENDMENT TO REVISED SECTIONS 8. NONCONFORMING USES AND SECTION 10. BOARD OF APPEALS. THE MPC RECOMMENDED APPROVAL.
MPC FILE NO. 99-12654-C
[NO DISTRICT/UNINCORPORATED AREA.]**

Chairman Hair recognized Mr. Saxman. Mr. Saxman said this is basically to clarify sections of the ordinance. Section 8 of the ordinance states that a nonconforming use structure cannot be enlarged. The Board of Appeals, under Section 10, is authorized to allow certain expansions of nonconforming uses. The intent of the ordinance is basically to allow an existing use when adopted zoning is continued as a nonconforming use under the ordinance that was adopted, but not to allow it to expand, to keep down the intensity of development in residential areas. Nonconforming uses are only allowed in a residential district. This is to clarify the Sections 8 and 10 and we recommend that it be amended to provide the provision that the most restrictive provision of the ordinance is not to allow nonconforming use to expand and enlarge its building size.

Commissioner Murray said, I just want to make sure I totally understand this. In other words, you're saying that we're taking the clause out that would allow any expansion in a nonconforming use. Mr. Saxman said, right. The Board of Appeals, Section 10 gives the implication that the Board does have the authority to expand, but in Section 8, which talks about the nonconforming use provision, it says a nonconforming use cannot expand, and that's come up a couple times in the past few years and we basically just felt it was time to go ahead and certify that. Commissioner Murray said, what this is going to say is, under no circumstances can they expand a nonconforming use area. Mr. Saxman said, right. Commissioner Murray said, say if Owner A owns a property right now that falls under nonconforming use and they're using it for whatever, and they sell that piece of property to, say, B, he's allowed to continue the nonconforming use. Mr. Saxman said, right. Commissioner Murray said, that should not be in there, either. That should come out, and I've said this over and over. Why do we even have a nonconforming use if that property sells and they can continue to keep selling it, that person whoever buys it, can continue the nonconforming use? That should not be in there. If that property sells, it should go back to whatever the zoning in that area is. Mr. Saxman said, well, there are a lot of structures that have a lot of economic improvements in them that you're trying to – Commissioner DeLoach said, I'm like Frank, but what difference does it make if it's nonconforming, it continues on, what does it bother the buyer? Chairman Hair said, he's saying it shouldn't continue. Commissioner DeLoach said, I agree with him. Commissioner Jackel said, you have a nonconforming use and you develop it into a thriving business, you can't sell it if you change the ordinance that the nonconforming use will not continue. Commissioner Murray said, you can sell the business, you just won't sell the land for much money.

Commissioner Jackel said, well, you'd have to relocate the business if you don't allow the nonconforming use. Chairman Hair said, I agree with Commissioner Jackel. Commissioner Jackel said, that's going to create a real problem. He said, I've got a problem with this thing, too, that we have just a flat no expansion. I think, depending upon where the business is and depending upon the neighborhood, we need to look at it on a case-by-case basis, because maybe a minor expansion or modification may be in everyone's best interest. When we have no tinkering with the building, I think we've set up a situation we may be unhappy with in the future. I also have some questions about why is six months being used as a period and one year being used as one of the periods? Where I agree with Frank and Eddie is, if you have a nonconforming use and then it's quit being used as a nonconforming use, then maybe two months or three months is a long enough time for someone to come in. But if they wait a whole year to come in and want to pick up the nonconforming use, that's too long a period of time. Chairman Hair said, I would suggest that someone make a motion to send it back for further review.

Commissioner Murray said, I'll make the motion, but I want to say something else, too, and I don't know if this particular piece of property is a nonconforming use or not, it's not in my district, but it's on Montgomery Crossroads, it's an old dilapidated service station that they came up to us probably five years ago, six years ago, or was it when Bob McCorkle was Chairman? I don't remember, but they came up and asked for rezoning for that property and turn it into something. We rezoned that property. That property still sits as it did whenever that took place. It might have been 10 years ago. Mr. Saxman said, well, it would not be a nonconforming use now, because it was changed to a commercial classification. Mr. Abolt said we had a complaint most recently in response and Dennis King has been very helpful. They're having trouble getting environmental clearance. The property owner, to my knowledge, based on documentation, Mr. King has done everything he could to get clearance as to the environmental acceptability so they can sell the land. DNR has been less than nice about it. Commissioner Murray said, the building's not safe. They can't bulldoze that down? Commissioner Jackel said, that's not the problem, it's the soil's contaminated. Commissioner Murray said, I'm not talking about the soil. I'm talking about that building, it's an eyesore. Mr. Abolt said, I do know from documentation from Mr. King, he indicates they tried to get environmental clearance, spent four or \$5,000, and DNR still is yet to give him clearance. Commissioner Murray said, he just happens to be a county employee.

ACTION OF THE BOARD:

Commissioner Murray made a motion to send back to the MPC for further review a proposed text amendment to revise Section 8. Nonconforming Uses, and Section 10. Board of Appeals. Commissioner Thomas seconded the motion and it carried unanimously.

=====

XI. INFORMATION ITEMS

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

Written report received as information.

=====

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

Written report received as information.

=====

3. UPDATE ON DOG EXERCISE AREAS.

Written report received as information.

=====

4. UPDATE RELATIVE TO COUNTY-OWNED AND MAINTAINED WATERWAY FACILITIES.

Written report received as information.

=====

5. STATUS REPORT ON CONSOLIDATION OF CITY AND COUNTY INSPECTIONS DEPARTMENTS.

Written report received as information.

=====

6. INTERIM FINANCIAL STATEMENTS FOR THE FISCAL YEAR 2000 MIDYEAR AND A BUDGETARY REVIEW.

Written report received as information.

=====

EXECUTIVE SESSION

Upon motion made by Commissioner Thomas, seconded by Commissioner DeLoach, and unanimously approved, the meeting of the County Commissioners was recessed at 11:35 A.M., to go into Executive Session for the purpose of discussing personnel, litigation and land acquisition.

Following adjournment of the Executive Session, the meeting of the County Commissioners was reconvened at 11:50 A.M.

=====

ITEMS FROM EXECUTIVE SESSION

- 1. APPROVAL OF RELEASE AND WAIVER OF LIEN TO BE SIGNED BY THE CHAIRMAN REGARDING SETTLEMENT OF CLAIM BY THE CHATHAM COUNTY HEALTH PLAN FOR REIMBURSEMENT OR SUBROGATION ARISING FROM THE PAYMENT OF BENEFITS ON BEHALF OF CHRISTOPHER RYAN WILSON (JON HART).**

ACTION OF THE BOARD:

Commissioner DeLoach moved to authorize the Chairman to sign the release and waiver of lien regarding settlement of a claim by the Chatham County Health Plan for reimbursement or subrogation arising from the payment of benefits on behalf of Christopher Ryan Wilson. Commissioner Thomas seconded the motion and it carried unanimously.

=====

2. APPROVE SETTLEMENT OF CHATHAM COUNTY, GEORGIA, V. 0.101 ACRES OF LAND, MARION THOMAS BOYD, WACHOVIA BANK, N.A., AND CRUISES PLUS, INC., CIVIL ACTION NO. CV99-1262-BA (JON HART).

ACTION OF THE BOARD:

Commissioner Thomas moved to approve settlement of Chatham County, Georgia, v. 0.101 Acres of Land, Marion Thomas Boyd, Wachovia Bank, N.A., and Cruises Plus, Inc., Civil Action No. CV99-1262-BA, by conveying to Marion Thomas Boyd a parcel of adjoining land owned by Chatham County and consisting of 13,300 square feet for \$71,700. Commissioner DeLoach seconded the motion and it carried unanimously.

=====

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

ACTION OF THE BOARD:

Commissioner 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.

=====

APPOINTMENTS

None.

=====

ADJOURNMENT

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 11:53 a.m.

=====

APPROVED: THIS _____ DAY OF _____, 2000

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

SYBIL E. TILLMAN, COUNTY CLERK