

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, JUNE 9, 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, June 9, 2000.

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**II. INVOCATION**

Commissioner Harris Odell, Jr., gave the invocation.

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**III. PLEDGE OF ALLEGIANCE**

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

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**IV. ROLL CALL**

The Clerk called the roll.

PRESENT:	Dr. Billy B. Hair, Chairman 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 (arrived approximately 9:10 a.m.) Eddie W. DeLoach, District Seven
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IN ATTENDANCE:	R. E. Abolt, County Manager R. Jonathan Hart, County Attorney Sybil E. Tillman, County Clerk
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**V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

None.

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## **VI. CHAIRMAN'S ITEMS**

### **1. HIRING FREEZE WAIVER APPEAL (SPENCER LAWTON).**

Chairman Hair said, the first item that's under my section, I would ask unanimous consent to add a hiring freeze waiver for the District Attorney's office. Any objection to that? We had a request, the District Attorney went through the process that we established a few months ago, submitting two waiver requests. It then went through the committee of three. I believe it was denied at that time, and he's asked for —, to put it on the agenda for today for reconsideration. I believe the District Attorney is here. Mr. Lawton, if you would come forward. There are two positions, and I'll let him explain the two positions to you.

Mr. Spencer Lawton said, thank you, Mr. Chairman. The —, I don't know whether everyone has a copy of the memorandum that I sent to you. Do you know whether —? Chairman Hair said, I'm not really sure if it was —, if you'll just tell us what you —. In fact, I think it was. County Manager Abolt said, it's in the packet. Chairman Hair said, it is in the packet. County Manager Abolt said, yes sir, the late —, the most recent packet. Mr. Lawton said, basically, what I'm requesting permission to do is to fill two critical positions on my staff, one of which being an Administrative Assistant, the other being a Victim Advocate in the Victim Witness Assistance Program, who's special assignment is to child victims. In one case, which is the Victim Assistance position, the vacancy occurred on April 28th and the freeze was waived by the full board on that same day. Since then advertisements have run, applications have been received and reviewed, and we were beginning to schedule interviews when we learned on the 5th of June that the waiver had been rescinded. The other case, the Administrative Assistant, that vacancy occurred on May 10th, the paperwork having been sent over the week earlier than that. The request for a waiver was renewed on May 9th and, as in the other case, I didn't learn until the 5th of June that our request had been denied, and so what I'm asking is that those waivers be granted. The Administrative Assistant position is one in which the Admin provides clerical support to the Chief Assistant, to the Chief Investigator, and to the attorney who heads our Special Prosecutions Unit for child victim cases. That position even when it's —, even when it's filled we're understaffed in that position. You can appreciate the one person serving people —, three people in their particular capacities are kept pretty busy. We have found it expedient to do that, however, and so far have gotten by without the necessity of requesting an additional position. I would, however, like to have that filled. It's quite critical to the effective functioning of those three individuals whom she serves. The other is the Victim Advocate for child victims cases. That was Kate Filson, who retired recently. That, too, is a very important position to us for several reasons. One is it's a highly specialized function and we need somebody there who's trained in the particular expertise that it has to those kinds of cases, and it's important for us likewise to provide as much continuity as we can in providing the services to the children and their families. These cases, as you know, are often complicated by the fact that the perpetrator is often a member of the same family whom we're trying to serve. So these can be very delicate situations and we do require, if it's to be done properly, it requires somebody who does have training in that, and we'd like to go ahead and get on with filling that position and getting the training done and the service back.

Chairman Hair said, Commissioner Odell has a question.

Commissioner Odell said, Spencer [Lawton], just a couple of questions. The Victim Advocate, how many positions do we have that relates to child abuse? Mr. Lawton said, two. Commissioner Odell asked, two? And the Clerical Assistant provides support to the same —? Mr. Lawton asked, pardon? Commissioner Odell asked, the Clerical Assistant to the same unit? Mr. Lawton said, no, no. That's in the Prosecution Section of the office and provides clerical support, secretarial support, if you will, to the Chief Assistant, the Chief Investigator, and to Greg McConnell, who heads our prosecution of child victim cases. Commissioner Odell said, we often don't have an opportunity to do this, but especially being a defense attorney, your staff, Greg McConnell, they do an excellent job. They're very thorough and detailed, and I know that there's a substantial amount of paper work. We had approved these two positions, had we not? The full Commission? Mr. Lawton said, oh yes, yes. Well, wait a minute. I don't want to mislead. I don't think you had approved a waiver —. Commissioner Odell said, I know we approved a Victim Advocate. Mr. Lawton said, you had approved a waiver on one of them already.

Chairman Hair said, right. One of them had been approved. Mr. Lawton said, but you had not approved a waiver on the other. Chairman Hair said, right. That is correct. Any other questions of —. Commissioner Jackel said, yes. Chairman Hair said, okay.

Commissioner Jackel asked, what have you done in the interim since you've had these openings? How have you covered it? Mr. Lawton said, we've rotated people through that. In the case of the Victim Assistance, I'm sorry, I began by thinking about the Administrative Assistant. What we've done is rotate through that position. We have somebody, for instance, sitting in that desk now in an effort to provide that, but we simply could not possibly continue that for long. We're already understaffed in that position and that means other work isn't getting done when that —, when we've got somebody sitting in that chair doing that work. In the Victim Assistance position, we just simply haven't —, we have one person doing the work of two. Commissioner Jackel asked, and that's how you've been coping with the situation? Mr. Lawton said, yes. Commissioner Jackel said, okay. It's —, you're kind of out —, this wasn't the sequence I was expecting of events. At our

last Commission meeting we were supposed to have the review of the auditors report, but we got it too late to fully review it, and it's coming up now, and one of the things that leaps out at you when you review the auditors report is that your office has doubled in capacity the number of personnel and expenditures in the last decade. Mr. Lawton said, uh huh. Commissioner Jackel said, and, you know, Iran, and I think most of the others up here ran on doing something about crime, and I think we put our money where our mouth is. We have spent the money to get things done. We've spent —, and I'm not picking on your office, and in ways I'm praising it, and also we've doubled —, we've almost —, we've doubled the Sheriff's Department, we expanded the Superior Court, we've expanded State Court. We have spent the money to get it done. The question I was going to ask the auditors, and then it's going to come to you, is somewhere we're going to need someone to say what we got for these things. What have we achieved as a result of that? And that's kind of tied in with you, you know, I've got to have two people now when we're trying to hold the line. Now this, of course, is a priority item and I understand that, but I just —, that's going to be coming up, I hope, for our whole criminal justice system, some explanation and maybe the auditors can give us the big light. So while you were here I wanted to bring that out, but that's playing on my mind as you're up here, and y'all have increased and there are valid reasons for that, and I know we've gotten results, but I think we need to communicate that better to the public. Mr. Lawton said, you have provided us generously with funding, and it's my devout hope and my confident belief that you have gotten a good return for those dollars. A lot of this, however, is impossible to mention. What exactly is the value of a specialized prosecution for child victims cases, for an example? I don't know. I think that —, I think it's inherently valuable. I know that we do a good job at it, I can tell you that, but —. Commissioner Jackel said, well, I know that too. I've seen the work and stuff, but —. Mr. Lawton said, your point's well taken and I appreciate it and I'm always looking for a way more effectively to express the value of what it is that we do and I'll welcome the opportunity.

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, Mr. Attorney, if we were to approve this this morning, how long would it take you to fill that position? I mean, you say you were already in the process. Mr. Lawton said, well, the —. Commissioner Thomas asked, were you interviewing or had you made your selection? Mr. Lawton said, no, no. We had only —, we were just beginning to interview —, we were just starting to set up the interviews. We had not interviewed anybody yet in the Victim Witness Assistance position. In the Admin's position we haven't, as far as I'm aware, advertised that yet since the —, because we were waiting to do that until we learned whether or not we were going to be granted a waiver of the freeze. Commissioner Thomas asked, how long would this process take do you think? Mr. Lawton said, Helen Smith is here, the Director of the Victim Assistance Program. Do you have any idea? Two weeks perhaps for the Victim Advocate and —, and I would think a good deal longer than that in the case of the —. Commissioner Thomas said, well, the reason why I was asking because I was just wondering when the hiring freeze was up. Chairman Hair said, it's not up until December, I believe. County Manager Abolt said, the 31st of December. Chairman Hair said, yes. Commissioner Thomas asked, of December? Chairman Hair said, yes. It's the rest of the year. Commissioner Thomas asked, the rest of the year?

Chairman Hair said, I would suggest to the Commission that maybe we deal with these separately, just vote on them separately if that's okay rather than voting on them together because they are two distinct positions.

Commissioner Odell said, I make a motion for the Victim Advocate, that we fill that position. Commissioner DeLoach said, second. Chairman Hair said, motion and a second. Any further —?

Commissioner Murray asked, is that the one that was originally approved and rescinded? Mr. Lawton said, yes, that's correct. Commissioner Murray said, okay.

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

Chairman Hair said, now I'll take a motion on the Administrative Assistant position. Commissioner Odell said, I'll make a motion for that. Those cases are fairly extensive. I think the DA's office has done a good job, and especially with Greg McConnell, and I just don't know how they can continue to operate at a level of efficiency. They can't control crime. If crime appears, they have to do what's necessary to prevent it. I move that we approve the position. Chairman Hair asked, do I have a second? Commissioner Jackel said, I'll second that. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Odell, and Thomas voted in favor of the motion. Commissioners Murray and DeLoach voted in opposition. The motion carried by a vote of six to two. [NOTE: Commissioner Price was not present.] Chairman Hair said, the motion passes. Thank you.

Mr. Lawton said, thank you very much and, Commissioner Odell, I appreciate your generous comments. Thank you. Commissioner Odell said, tell Greg [McConnell] I said good things about him.

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

1. Commissioner Odell moved that the hiring freeze be waived to allow the District Attorney to fill a position of Victim Advocate (Child Victims), which vacancy occurred on April 28, 2000. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Commissioner Price was not present.]

2. Commissioner Odell moved that the hiring freeze be waived to allow the District Attorney to fill an Administrative Assistant position, which vacancy occurred on May 10, 2000. Commissioner Jackel seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Odell, and Thomas voted in favor of the motion. Commissioners Murray and DeLoach voted in opposition. The motion carried by a vote of six to two. [NOTE: Commissioner Price was not present.]

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## **VII. COMMISSIONERS' ITEMS**

### **1. STORM PREPAREDNESS BRIEFING BY PHILLIP WEBBER, CEMA DIRECTOR (COMMISSIONER JACKEL).**

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, well, I think if anyone's looked at the paper or looked at the news you understand that we're getting —, that we've just started the hurricane season, and I thought this would be an excellent time then to have Phil Webber tell us where we are, where we need to be, and what we need to be ready for, and we're glad to have you here with us.

Mr. Phillip Webber said, good morning, Commissioner Jackel, it's an honor and a pleasure to be here. Other Commissioners, Dr. Thomas, good morning. I'm very excited to be here this morning. I'd like to just talk a few minutes about the 2000 hurricane season, but before I do that I must revisit Floyd, hopefully for the final time this year, and we'll talk a little bit about where we've been, where I see that we are, and where we're going. To lead off with that, I've got a few slides I want to show you. Okay, just in case we forgot what we were looking at last year with Hurricane Floyd, that was clearly the largest storm anybody has ever seen that's still living approach the Atlantic and the coast of Georgia. It was 600 miles across, it was packing winds 155 miles per hour sustained with gusts over 190 miles per hour, and it came within 115 miles of our coast. So to get out of the way of something like that is a clear objective. I want to tell you how we did. Let's go to the next slide, Dennis. This survey was conducted on behalf of FEMA by Dr. Jay Baker. It encompasses four states: Florida, Georgia, North and South Carolina, 11 areas, and includes over 85 counties, and when we measure up how we performed in Hurricane Floyd, I think you will be pleased. Participation rates in Hurricane Floyd in Category 1 surge zones, that's over 25% of our community, Savannah, Georgia, came out number one; 90% of our people in Category 1 surge zones left the area. Next slide. Participation rates in Floyd in surge zones outside of Category 1, that's the rest of the County, Savannah, Georgia, led the way with over 85% of our people participating in that evacuation. Again, that's out of over 85 counties, four states. Next slide. Why did they leave? The main reason for evacuating, government information. Not the cable channel, not the weather channel, and very much thanks to all of them and thanks to all of our local television and radio stations, and much thanks to the newspaper, but the main reason they left was government information. Next slide. With all the horror stories that are out there, and I believe them and without minimizing the grief and the pain and the anxiety that the members of our community went through, the average time to their destination evacuating Chatham County was seven hours. Not 22, not 16, not a day and a half. Although those things did take place, they're unacceptable, and we have to make changes to see that it doesn't happen again.

Commissioner Jackel said, excuse me for a second. Mr. Webber said, yes sir. Commissioner Jackel asked, do you back out the normal travel time? Mr. Webber said, no sir. That's —, that is —, there was another slide that I didn't put in this morning to save some time, but it says on average it was five hours more than they expected to get to their destination. So —, it also shows that people didn't go quite as far. A lot of people must have gone closer in. Much of that time that has to be eliminated also was in-County. We've got to eliminate that. So, no, we didn't back out that time. Commissioner Jackel said, okay. It takes normally five hours to get to Auburn, that's where I headed because I have family there. Mr. Webber said, yes sir. Commissioner Jackel said, and, you know, I don't think I could count that five hours. It would have been the additional time would only be the real fair time to count. Mr. Webber said, right. Commissioner Jackel said, because if there's no hurricane it takes —, the same way with people going to Atlanta. It would normally take them four and a half. It takes Frank [Murray] about three, but most of us — [laughter].

Mr. Webber said, the next slide is a big issue that I get asked more often than anything, or at least it's in the top five questions that I get asked. Evacuee who would stay the next time. We're —, you can see from this slide we're where we want to be. We're on the end of the graph where we want to be, and that's on the light side. We're looking at less than 15% of the people who evacuated during Floyd state that they would stay next time. Okay, so that's 85% of the people who left last time will leave the next time faced with the same scenario. And I would submit to you that out of that 15% who say that they won't stay [sic], that there's even a smaller percentage that would actually stay, and I see that as a very important emphasis for my office to target those individuals that say —, that are going to stay. I see that as —. I'll spend a moment on that. I see the people that really mean it as the frail elderly that say that they'll never go through that again. I think when they tell you that they're not going to leave they mean it. I think a lot of others that say they're not going to leave faced with something like we saw on slide number one, might just be a little bit of talk, and we really owe it to the people who want to leave, but they cannot leave and can't suffer that type evacuation again. Those are the people we need to target. Next slide. 2000 hurricane season predictions are 12, 8 and 4. That's just about what we had last year: 12 named storms. The prediction is that 8 of those will become hurricanes, 4 of which will be major hurricanes. That is a Category 3, 4 or 5. My definition's a little different than that. Any hurricane that comes here I consider a major hurricane. That's it for the slides.

Mr. Webber said, I've talked about where we've been. I think that those numbers show a good objective was met. Was it a high degree of success? I stop short of calling it extremely successful because there's too many lessons to be learned, too many corrections to be made to call it a success, but the objectives were met. That's where we save lives, on the front end. Public education, public awareness, communication of the threat. That's where we're going to save lives. What

improvements have we made for 2000? We reached out immediately to the State, of areas beyond the scope of our authority, but we were very vocal and very effective advocates for this community. The Georgia Department of Transportation has been very good to work with. We immediately asked for some changes to their plan that they saw that they needed as well. That plan exists largely in part for this community. We're the biggest users of that plan. That's why it exists, so one lane of I-16 will be done sooner, more in line with our mandatory evacuation order. It will go out further. Rather than ending it in Swainsboro, we go all the way to Dublin. We gained about 45 miles. Ramps have been built in Dublin to better accommodate people getting off of 16, and speaking of getting off of 16, we trapped them last year. When we got on I-16, we couldn't get off. There are now seven different opportunities to get off of 16 in the contra-flow lanes, those lanes that have been turned one-way going westbound. Seven different opportunities and lots of different places where people can find resources and services and get on alternate routes to go to other areas in the state. Information. People don't know where to go once they get out there unless we get information to them. The way to do that is through the automobile radio. We petitioned the State immediately to take the information that we deposit with them on an hourly basis and get it out to people over the radio, over the car radio. They are in partnership with Peachstate Public Radio and they'll canvas the entire State with information from us and from our counterparts in the coastal area. Given enough accurate, expedient information, people will make right decisions. We think that all of that will ease up the traffic in Chatham County considerably. I have to defer to my traffic experts with their law enforcement officers in this County, and they tell me if you get 16 open and running smoothly, that will cure the in-County traffic problem. There will still be delays, there will still be problem. It will still be slow-going. We have to eliminate the lion's share of that gridlock that we experienced the last time.

Mr. Webber said, a couple of other areas I want to go over real quick, 16 is the big one. The next one that was highly advertised was the Civic Center. First, I want to tell you that we bused about 4,000 people out of that Civic Center. That's 4,000 fewer search-and-rescue cases. That's 4,000 fewer people who could have potentially been injured or lost their lives in Hurricane Floyd. That's a good number. That was not done by —, and I don't do a lot of comparing our agency to other agencies, but I'm going to do it today. You won't find that duplicated in any other area in those states that we're talking about, and a lot of these people have been doing it a lot longer than we have and getting hit more often. I haven't found another community that bused out using public transportation using our partners at Chatham Area Transit Authority, Board of Education, Laidlaw, Savannah Police and Fire and many, many others to get that many people out of harm's way. At the end of the day, they were out. Mission accomplished. Unacceptable conditions over there when they had to sit too long, they had to wait too long. It was confusing. Some people rode out before others did. That's unacceptable. The City of Savannah stepped up to partner with us and better manage that area. We've got a new plan. It will work better. Simply put, we'll manage that whole operation better and it should go much more smoothly should we have to use it again. Nursing homes. That was a big issue. I again remind you that, as you know, a vast number of nursing homes, personal care homes, assisted living centers in this area are commercial entities. They are for-profit. That's the cost of doing business in this area is to have an emergency plan, a relocation plan that includes transportation. The County government has been there with partners from the Board of Education and Laidlaw to get those individuals out before. That plan worked. It did not work as successfully as we wanted it to, it didn't even come close, but it did —, the objective was met and they got out. Some unacceptable conditions there. We have since gone back to the drawing board and identified adequate transportation for those facilities with trained drivers, climate-controlled vehicles, with restraints. They can be here at an appropriate time standing by and get those individuals out, in sufficient numbers to get them all out ahead of the curve before the traffic starts. We found a service provider, we joined them with the consumer, and they're entering into contracts as we speak. The vast majority of them have commercial contracts in place that will not bankrupt them, at a very reasonable rate I believe, to get them out of harm's way. We will manage and oversee that entire process throughout the hurricane season. That's the final one so —.

Commissioner Saussy said, Phil [Webber], let me ask you something on the nursing homes. Mr. Webber said, yes sir. Commissioner Saussy asked, will that be mandatory for them to get out at a certain time? Mr. Webber said, yes sir. Commissioner Saussy said, okay. I didn't know whether it was or not. I think we have to have that. Mr. Webber said, it —, well, they fall under the same evacuation laws as everybody else, but what we want to do is to get them out on the leading edge of it, and make an opportunity to exercise that. If they want to get out earlier, they certainly can.

Chairman Hair said, I have a question. Since I was intimately involved with this, on the Civic Center situation our biggest —, one of our biggest problems there was the driver shortage. What have we done to address that issue? Mr. Webber said, what we've done is we've freed up a lot of the Laidlaw drivers. We're getting them out of the nursing home business. That frees them up to run the Civic Center force and leadership over it. Laidlaw said if you get us out of that business, we can handle this. That dramatically increases our census of drivers over there. We had no shortage of buses. Chairman Hair said, you know, it was the drivers that caused us the problems, and if it were not for Chief Plaugher at the Savannah Fire Department, we really would have been in bad shape, but he came through like a real true champion and he helped us out there. Mr. Webber said, he sure did. Chairman Hair asked, any other questions of Mr. Webber?

Mr. Webber said, if I could have just one more second. Chairman Hair said, okay. Mr. Webber said, just in case, and I know you don't see it this way, but some of our listeners may see a lot of this as red ink. What are we investing all of this time and effort in? I showed the investment in lives up front. Secondly, our investment comes in dollars and cents. It is a real possibility statistics show that every 15 to 20 years we could have a hurricane of that —, in this area. The averages are that that would be a Category 2 hurricane event here. In dollars and cents that would probably cost this community about \$350 million. Our job beyond the evacuation, which will pale in comparison to a response and recovery, is to shave

time off of that recovery time. For every day this community is down, for every day that Gulfstream and International Paper and Publix and every —, and the schools and everybody else is shut down, it's going to cost this community an average of \$10 million or more. Every day we shave off of that, another business survives. Every day we shave another \$10 million off of that recovery. That's money that we lose forever if we lose a day, and we're about the business of shaving days and possibly even weeks off of that recovery. That will be the return in your investment in this agency and in this program. Thank you for having me this morning.

Chairman Hair said, thank you, Mr. Webber. We appreciate it. A very good presentation. Thank you.

**ACTION OF THE BOARD:**

Received as information.

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**2. REQUEST BY LIBRARY DIRECTOR FOR ADDITION TO AGENDA TO APPROVE A POSITION FOR A DEVELOPMENT COORDINATOR.**

Chairman Hair said, before we go into the CAT meeting, Commissioner Odell wants to add one item to the agenda.

Commissioner Odell said, the item to the agenda is from the C-L-E Regional Library. It's to add a Development position [sic]. The position would work directly for the Library Foundation and would be paid totally by the Library Foundation. The cost to Chatham County would be zero. I'd like to add the request to the agenda.

Chairman Hair said, first I'll ask you for consent —. Commissioner Price said, second. Chairman Hair said, anybody —. Well, we don't —, just in the absence of no objections. Okay, now I'll entertain a motion.

Commissioner Price said, I did. Commissioner DeLoach said, second. Chairman Hair said, I have a motion and a second to approve the Development position [sic] at no cost to Chatham County. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you.

**ACTION OF THE BOARD:**

Commissioner Price moved to approve the request by the Library Director to add a Development Coordinator position to be fully funded by the Library Foundation and at no cost to Chatham County. Commissioner DeLoach seconded the motion and it carried unanimously.

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**CHATHAM AREA TRANSIT AUTHORITY**

Chairman Hair declared the meeting of the Board of Commissioners in recess at 9:32 a.m., and the Board reconvened as the Chatham Area Transit Authority.

Following adjournment of the meeting of the Chatham Area Transit Authority, the meeting of the Board of Commissioners was reconvened at 10:05 a.m.

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**VIII. TABLED/POSTPONED ITEMS**

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

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

Chairman Hair said, I need a motion to take two items for second reading, amendment to Land Disturbance Ordinance Activity [sic] and amendment to the Revenue Ordinance, off the table. Commissioner Odell said, so moved. Commissioner DeLoach said, second. Chairman Hair said, all those in favor say aye. All Commissioners said, aye. Chairman Hair said, opposed like sign. [No response.] Chairman Hair said, the motion passes. Now we will deal with these —.

An unidentified lady said, excuse me, but I thought we were going to choose the disabled person that was going to be on the CAT Board. Chairman Hair said, the County Commission appoints those. The CAT Board doesn't appoint its own members. The Chatham --, we will do that at the conclusion of this session in Executive Session. The unidentified lady said, okay. Thank you. Chairman Hair said, the County Commission does that. The unidentified lady said, thank you. Chairman Hair said, thank you.

Chairman Hair said, all those in favor of the motion to take off the table vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, gentlemen, we'd like to make a presentation at the staff level now covering both ordinances before you. Let me summarize, as best I can, the issues as we see them. First of all, this is a policy decision involving user service fees. It is consistent with your goal to curb rising property taxes. Currently, Chatham County taxpayers divide the heavy subsidy to the developer industry. In the two staff reports before you, the policy analysis stinks. Enacting a fee schedule whereby applicants for County service pay for those services is consistent with the anticipated Stephens-Day legislation and creates a user paid system. Over many weeks staff has had meetings with the affected individuals plus we have been available to representatives of the development industry extensively both during and after normal work hours. In addition, as you know, response to questions posed have been answered to the best of our ability and with detailed supporting documentation. I would like to now have the County Attorney make the presentation, followed by remarks from Mr. Bungard and Mr. Newton.

County Attorney Hart said, in your agenda items on page 21 through page 24 there is an outline of the preamble of the proposed ordinance that pretty much sets forth the intent to try to make this a user based fee system. Over the last number of years the State has been very active in the Legislature. A number of new statutes that deal with a broad range of matters, including land disturbance activities, tree ordinances, environmental concerns, subdivision regulations, storm water management ordinances, flood drainage prevention ordinances, soil and sedimentation elimination ordinances, and those statutes are all passed at the State level but are totally unfunded at the local level, and as a catch-all a provision is provided in those acts that if you wish to be a qualified community in good standing in order to be enabled to apply for State grants, you must enact that type of ordinance, and if you choose to be an issuing authority for some of these ordinances, such as the soil and sedimentation ordinance or the storm management ordinance, you have to provide a service of —, that the act requires. Now that has a pretty good bit of significance in that if we choose not to be an issuing authority, then our local people, if they wish to participate in those activities, can go to Atlanta and get their permits. So at this point, with the advent of these additional services, you know, the cost of operations have gone up considerably. There have been a number of groups that have expressed concerns that the burden of these ordinances benefit a small number of people and are being subsidized by the group as a whole. Essentially, we are attempting here to spread that cost in regard to those programs and those services to the party that is requesting the use of those services and we're not out to try to regulate any particular group of businesses or group of persons. Anybody that comes in and wishes to avail themselves [sic] of those type services would pay the appropriate cost. At the same time, we're not interested in passing a tax, and I believe your ordinance clearly reflects that this is a user based fee. What we attempted to do at that point is to have the various parties, through the Inspections Department, Engineering Department and MPC, that provide for these types of services and permits, sit down and go through a process of trying to determine what the actual cost is and providing the services, and I think staff's ready to answer questions that you have in regard to —.

Chairman Hair said, okay, before we get staff up there, there are two items that were brought up by the Homebuilders and that we need to make amendments to on the advise of counsel. One is the original proposal had a penalty fee in there, and the County Attorney has ruled that he believes we should eliminate that penalty fee, and I think that's one of the amendments that need to be made based on the input from Homebuilders. The other is there is a \$50,000 contribution that was used to calculate the fees that result —, that related to the \$100,000 cost of the study for rewriting the Zoning Ordinance, which Chatham County's share of that was \$50,000, and the Attorney believes that that is a reasonable

amendment that needs to be made as well for legal reasons. So those would be the two amendments and at some point today, when we get ready to vote, whatever is voted on would be made with those two amendments in them, so we'll stipulate that up front and that should cut down a lot of discussion.

Commissioner Murray asked, do we need to make a motion —? Chairman Hair said, well, I think we can make them —, the amendment at the time we make the motion to approve. Right? County Manager Abolt said, we'd just like to complete our presentation. Chairman Hair said, yes.

Chairman Hair recognized Mr. Bungard.

County Engineer Al Bungard said, I've been asked to describe the methodology and procedures by which we estimated our costs for the fees. The first chart you see is entitled the Land Disturbing Activities, and we looked at a five-year history of our permitting activities, and you'll see here back in '95 this —, the lowest —, blue represents fees that collected based on a fee structure back in '95, which was a flat fee, like \$25. It was raised somewhere in the interim, but that was, again, actually how much money we took in. Then in 1998 and 1999, recognizing that there was some form of subsidy and that the Engineering Department was involved extensively in some of the permitting services through the Inspections Department where we were checking land disturbing activities, soil erosion, there were inter-departmental transfers of \$100,000. The yellow part represents the unknown subsidy. We did not track the cost. There was no need to, no requirement to do so in those days. We didn't fill out time sheets about how much we spend —, we just know that the cost of doing business was more than we collected. The fees ranged anywhere from, I think, total collected \$55,000 to \$90,000. It varies considerably. Next. Then we took a look at the permitting activity as it applied to residential or subdivisions, and you'll see that in 1995, from '97 it rose steadily, peaking in '97 and then declining drastically back through 1999. I don't have the 2000 figures yet, but the trend is clear. Interestingly, down on the lower left you see the lots per subdivision increased gradually but steadily over the course of the five years, and the pattern for the subdivisions per year rose and declined generally along the same trend. Again, these are not all the statistical variations, it's just one measure of the activity so we could have some basis for establishing a fee structure for residential permitting. Then —, next, Vince [Grevemberg], the commercial. Commercial acres per year rose much more dramatically. In fact, in terms of a trend, they both peaked in '97, but in this case it actually increased more than six times from '95 to '97, whereas residential went double. The acreage followed the same trends as did the number of commercial projects. So the point I'm trying to make here is that there are a lot of variables that get into determining, you know, what's typical. I hear that word all the time, and, you know, the choices are we can have a very complex fee structure like Fulton County has where you compute, actually measure off the drawings the number of feet involved, or you can have a simpler, and the issue becomes who bears the burden of the fees. If you have large base fees, you tend to put the burden —, it's a bigger burden on the smaller developers, but we did use a five-year history as the basis for estimating the level of service, and then I took the estimated, working with my staff, the percentage, the amount of time —. Vince [Grevemberg], that's —, I think it's later. [Pause.] We took a look at the amount of time that our office spends on the various permitting services, starting with my own involvement at 20%, then the various engineers up through the arborist, and then used that figure to compute the cost of the salaries that were involved in the permitting services, and we looked at these costs over the life of a project. Some of the comments are, well, these are rather high review fees, but projects vary from very brief commercial projects tend to be shorter to some over years. We have some projects that are still six years old. We have one where a developer paid a permit fee of \$25 six years ago, and we're still working it. So again it comes back to the question of what's typical, and then again, as the County Attorney said, since 1989 we have been, our department, the issuing authority for the EPD for permitting these permitting activities, and with that come the responsibilities if we want to keep —, we've been audited once and we were recertified, I believe, last year.

County Engineer Bungard said, I've talked a little bit already about the typical fee structures, but this was our proposal starting at the top with the single family residential where we looked at the bottom line of the operating costs, and I forgot to mention that after we did the salaries, we took a look at direct costs. In other words, the cost of the —, there's a line item in the budget that says Building Rent. That's the cost of having two vehicles for one year, garaged a car. That's —, across the street. Then there's the cost of training. In my budget I have programmed no indirect cost or overhead cost, and then —, so we took at the bottom line of all that and then used the bottom line of \$345,000 of projected —, of direct costs and then tried to distribute that based on what we estimated was the cost of providing the service, of the services listed here. Starting with the single family residential at the top, using a flat fee structure much like we have now of \$290 per lot, and then setting a maximum. The case —, there were some cases we couldn't quite envision where it might become too onerous, and then all the way down through a few additional services over the years we are not charging for, such as the environmental site assessment waiver where we provide that service so they don't have to spend a lot of money with private consultants to do the research for those. Again, lastly, our intent was to establish a fee structure that was in fact —, that did in fact equitably balance the burden for those receiving the benefits according to our involvement in the process.

Chairman Hair asked, any questions of Mr. Bungard? Okay, get the lights back up. Thank you. Chairman Hair recognized Milton Newton.

Mr. Milton Newton said, Mr. Chairman, I don't have quite as many graphics, or any graphics, but I'll try to offer you some —, a few comments. We were asked by the County Manager to identify the cost of providing certain services to the County and to identify a fee that would reasonably capture those costs. We did this to the best of our ability under the time constraints. The earlier postponement of the hearing —, a decision on this issue, has given us an opportunity to revisit that

issue more thoroughly and come up with a more realistic refinement of those —, of the cost of providing the services; however, we have not —, are not proposing a change in the fees because the costs now reflect the true cost, and they were even higher than the original costs that were identified when we were first considering the issue. We made a conscientious effort to give as much information as possible. We feel comfortable that we have done that and that the fees being proposed generally reflect the costs. If anything, they err on the side of conservative on behalf of the applicant. MPC does not now collect any fees. All of the fees that are collected are collected by the County; however, the County does not collect fees for certain types of activities with which MPC is involved, such as subdivision reviews. The City of Savannah has a fee for subdivision reviews. Chatham County does not. It is now being proposed in this ordinance amendment that you adopt a fee structure for subdivisions. The way the operation works in the City, when a fee is paid and someone then brings a subdivision to us and a receipt, we then process it. We would work the same way with the County. The fee would be paid to Chatham County. They would simply bring a receipt to us that the fee has been paid.

Mr. Newton said, one question has been raised about the magnitude of some of the costs. There is a cost of providing a service even if that service is used intermittently. Sort of like having a receptionist and saying, okay, we'll pay her for the hours in which she's answering the telephone or greeting people at the door, but we won't pay her for the time in which she's waiting for people to come in. It just simply doesn't work that way. There are other costs in addition to just simply the direct cost. Earlier on in the program we identified an hourly cost to do a certain task. We have refined those costs to include the cost of providing that service, and there is a difference. The cost of providing the service is higher because there are other built-in costs that necessarily must be accommodated and should be a part of the fee structure. Having said that, I'll just say that again we're proud to provide as exact and detailed a cost estimate of the various services for which a fee is being proposed as we could. If there are any questions, I'll certainly try to answer them.

Chairman Hair asked, any questions for Mr. Newton? If not, we will now hear from the Homebuilders Association.

Mr. George Boyd said, Chairman Hair, Honorable Commissioners, my name is George Boyd. I'm the attorney for the Homebuilders, one of the attorneys for the Homebuilders on this matter. I want to start by just clearing up what a user fee is. A user fee is a regulatory fee. That's our opinion of the fees. The user fees doesn't seem to exist anywhere else in any other context but in the context of being a regulatory fee. Now a regulatory fee is just a fee being charged for a service. It's not a tax. Okay? And in order to do that, and I'm sure y'all know all this, but in order to do that you've got to make sure that the cost of the service being provided sets your fee level. You can't charge a fee in excess of that. Now I believe the County agrees with that and we're on the same page. When I was last here y'all asked us to put in writing our specific requests. We did that. We met. We received day before yesterday 300-plus pages of documentation related to these fee increases. I went through that information and got a return letter back to the County Attorney. Have y'all all received a copy of that? Do they have this reporting attachment with it? County Attorney Hart said, yes. Mr. Boyd said, a little spreadsheet that compares everything. I'll turn your attention to that in a moment. Having described for you the base line rule that the fee has to approximate the cost of the service, let me just mention, a memo's gone around and I've heard discussion about what other counties are doing. That falls into the category of interesting, but immaterial. This goes back to your Mama's rule about two wrongs don't make a right. Just because other counties may be charging higher fees, they may be charging unlawful fees as well. That should not guide your decision on this matter. You should focus solely on what the numbers here show. And let's turn now to the MPC cost because that's —, that's the department where we've got actual numbers that we were able to run. Information has come out kind of in waives, and the first document I'll cite you to is Director Newton's memo that's attached to the agenda item. It's dated May 12th, I believe, and in that he goes through and discusses the various activities, how many times a year they occur on average, and how much time it takes to perform that activity. When I was last here and when I spoke to the County Attorney we said we have to know how much the personnel attached to those activities cost and how they divide their time up. That information was provided in an exhibit day before yesterday, and what it shows is the annual labor costs on each activity and the number annual labor hours, many hours for that. That allows you to calculate, and I'm not going to try to get into too much math as y'all follow me as best I can. That allows you to calculate how much it costs to do that activity for one man hour, and then taking that number and going back to Director Newton's memo you can find out how much that activity costs in term of the direct labor cost. And that's what's shown on the attachment that you have there. On the bottom where it says Newton memo, that's what we've done. We've calculated the labor cost for each case, and that's multiplying the average man hour labor cost times the number of hours that Director Newton said it took to do it. Well, it doesn't match up with the most recent cost assessment. I mean, it's not even close to the most recent cost assessment. There's a half million dollar discrepancy between the two cost assessments. And it's not just —, it's not just in terms of the costs, you can also look at the number of man hours. Originally, the new memo said it would take one hour to do an address assignment. Using their new numbers it takes about eight hours to do an address assignment, and that's just about —, they said this is how many man hours a year we spend on it. Divide that by the number of cases, it's going to take them eight hours now to do that address assignment. That just doesn't make sense. The Homebuilders contend what's happening is the justification's now being raised to try to defend the fees that are simply set too high to cover budgetary shortfalls. Director Newton alluded to the fact that, well, you can't just have somebody there for one hour to do an address assignment and send them home. Right. They're there for the rest of the day and you've got to pay for that employee to be there. That will cause some inflation for that, but ample adjustment has already been made for that in the calculations because in addition to calculating the labor costs, they then take 70% charge for what they call overhead. That's not related to the underlying stuff. That's just a factor they've pulled out and said we'll take 70% of our labor costs and it's going to go to overhead, and then they took another 20% to go with that other 20% on it to go with these kind of fluctuations. Now let me point out that both with the Engineering Department and with the MPC it's not like all they do are these activities, and the MPC this is less than 25% of what they spend their

budgetary resources on. The vast majority of their time is spent doing other things, and it's not fair to assess their costs, their full costs in here when they're devoting that to other activities as well. Does that make sense? So you really do have to go back and look at what's the cost of providing that service, and when you do it for the MPC the numbers are kind of startling. Instead of charging somebody \$2,300 for a zoning text amendment, based on the cost it should be closer to \$700 for a zoning text amendment. Instead of charging \$1,225 for a subdivision plat review, it should be \$590. The fees are simply set too high. Within the department they're not consistent in terms of how they're assessing these costs. I don't know how you can feel comfortable about passing fees based on these kind of calculations, calculations that have a built-in half a million dollar discrepancy in them. And that's —, that's not right and it's not lawful. As far as the Engineering Department goes, we still don't have sufficient information. The stuff that we asked for hasn't been provided. We said we need to know for each activity —, you saw the spreadsheet that they put up there that said here's our personnel, these are our percentage allocations on an annual basis of the amount of time they spend doing land disturbing activities related work, 80%, 20%, 60%, but we're talking about a group of fees here. Individually, and you've got to look at individually how much time do they spend doing those things. That's what's going to wind up determining whether the individual fees get set. You can't do it in gross like that. They say, well, that's not possible. Well, MPC did it. Director Newton sat down and talked to his staff and said how much time do you spend doing this, and they said one hour to do an address assignment, and he said okay and he wrote that number down and put it in his report. I know that it's not necessarily convenient to go through this process, and I appreciate the efforts that Mr. Bungard and Mr. Newton have gone through to do this, but the assessment of fees is something to get strictly construed by the courts, and it's something that y'all have an obligation to prove has been done with adequate attention, and it just hasn't been yet. The MPC just hasn't been able to settle on a consistent way of evaluating the costs, and they're way high, and Engineering says that they can't even assess the costs. And that first graph you saw where it just shows this is the unknown subsidy for each year, based on what? The total expense of the department? These fees can't be used to pay for the whole department. The fees can only be used to pay for the rendering of that particular service. The Homebuilders would welcome further conversation on this. The fees as they are currently proposed are simply not lawful. We would far prefer resolving this in a committee room than a courtroom, and we are now open-handed before you.

Chairman Hair said, thank you. Anybody else want to speak on this issue from the Homebuilders? Commissioner Jackel said, yes, I have several —. Chairman Hair said, well, let's —. Okay, Commissioner Jackel.

Commissioner Jackel said, I don't see why other areas are immaterial [sic] and certainly all this whether I set my legal fees or you set your legal fees, we look at what others do in the community to make sure we're not totally out of line, that we're not grossly undercharging or grossly overcharging. So I object to what you're saying there. I think it's a measure that we can look at to get whether we're getting close to what they ought to be to look at others. We don't need to figure this thing out in a vacuum. Some of the areas you're also talking about, you're talking about detailed cost analysis accounting. I don't know that we're set up to do this. As a matter of fact, I know we're not, and I think the cost to do that, to get an accounting firm in to do almost motion studies of how long it's going to take to do certain things, how long it takes someone to answer the phone and wait there until they get the phone and make the response and all those things, how long it actually takes to run the copies and what the cost of each copy is would be very prohibitive for us to do, and we haven't done that and we've made estimates, and I think some of that is fair because of the costs. Now we could spend a great deal of time doing these motion studies and cost analysis. Would it be fair to tack that on as an expense to what we're doing, or is that just something that you think we should absorb?

Mr. Boyd said, well, let me respond to you, the last point first. As far as any motion study's done, absolutely I don't think that's required. I think what Director Newton has done is more than sufficient. He sat down with his people and said how many times a year do we do this and how long does it take you to do it. He put that in the memo that's attached in support of this agenda item. But it's now contradicted by the most recent stuff coming out of the County Attorney's office because they're trying to defend these higher fees because they know they've created a half million dollar discrepancy. What Director Newton has done is more than sufficient, and you can —.

Chairman Hair said, I think Mr. Hart needs a chance to respond to that.

County Attorney Hart said, two points. Number one: The information concerning fees elsewhere across the State was provided to the Commission at the request of the Commission only to see whether the numbers that were being generated had any reasonable relationship with what was happening in other parts of the State. But I do want to clarify the situation. Those numbers were not created from what other people were doing. The numbers we came up with, which our people that we hire to do this for a living every day and for which we rely on every day to determine how to run their department sat down with the people who do the jobs every day and determined what the costs and what these numbers should be to reflect the actual cost of what the user is getting for the service. So I agree that these other areas are not immaterial as a check, but I want everybody to understand we didn't go out and say, "Well, how much is Fulton County charging? Gee, that's great, we want to charge the same thing." That never even crossed anybody on staff's mind. In regard to Mr. Newton's memo at the bottom of the page, that was an early memo and in regard to that memo the situation was that that was a discussion about how they were going to provide typical costs, and if you recall when Mr. Bungard was up there, how do you define typical? We've got some projects that have gone on six years at a \$25 fee. So you should —, when you go back and look at the cost of providing services, you have to include all your expenses in that, and you're there every day. You're there until you're done. You're not —, it is not a typical situation that we charge \$175 for this service and that covers the cost of every service. Once we agree to provide the service, we're there until it's done.

Chairman Hair said, Commissioner Jackel, I'll let him complete, and then Commissioner Price and Commissioner Saussy. Commissioner Jackel, do you —?

Commissioner Jackel said, yes. You know, some of our estimates are probably, you not, not right, but I don't think we can get into the situation where everybody's keeping exact time records of what they did and billing it out that way. We need something that's going to work here. I have been requesting information from the Homebuilders on what they thought was appropriate, and I know it's tough to bid against yourself and you need the proper information, but —. Mr. Boyd said, Commissioner, I think we have that. At least in Director Newton's department, and I can read you the fees that we think are appropriate based on hourly calculations that we now have. I mean, I'm more than happy to read down that list. Chairman Hair said, we've got the list. Mr. Boyd said, okay, and on the list that you have before you, if you want to calculate what the appropriate fee is all you need to do is multiply the labor cost per case. You see that on the bottom half? Times 1.7. That incorporates the —, and that's incorporated in their 70% overhead allocation, and that'll tell you what the actual cost of providing that service is. We're not telling you need to get out a stopwatch for these people. It's not that difficult. Director Newton's already done it. The problem is I think we're just not happy with the results of what he got, and so we've gone back now and said we've got to up this stuff by a half a million dollars, and just as another point for you, I understand you've got your budgets to cover, Director Newton in one of his memos that was produced to me said that about —, I think it's about 27, 28% of his budget winds up going to development services, to all development services. Okay? And so, as the County's share of the —, if it's a \$2 million budget, you get \$1 million as the County's share and about \$280,000 is what he's going to allocate to development services. With these fees they're trying to raise 480-something thousand dollars, so that's way overshooting the mark in any case.

Chairman Hair asked, Mr. Boyd, can I stop you a second? Mr. Boyd said, yes sir. Chairman Hair said, you have alluded several times to something that's in —, that's not true. Mr. Boyd, oh, I'm —. Chairman Hair said, you've alluded on several occasions since you've been at the podium that the purpose of this was to balance the budget. That was not the purpose of this, okay. I can clearly state that. The purpose is to assign costs to fees charged. It was not to balance the budget, and I resent that remark because that's not the purpose of it. Mr. Boyd said, okay, Chairman, please don't resent it. I didn't mean to say it was to balance the budget. What I meant to say is, and there are several memos with the documents that are provided that says the object of these fees is to cover the funding for MPC and to cover the funding for the Engineering Department. Chairman Hair said, the object of this is to cover the cost of providing the service, not to balance the budget. Mr. Boyd said, but those are different things. The Engineering fees can't pay for the Engineering Department and costs nor for the MPC allocation and costs. Chairman Hair said, I just wanted to set the record straight. That was my purpose. Mr. Boyd said, okay. Chairman Hair said, okay, Commissioner Price and then Commissioner Saussy and Commissioner Odell. Chairman Hair recognized Commissioner Price.

Commissioner Price said, I'd like to ask Milton [Newton] a question. You're being referred to here a great deal so I'd like to give you the opportunity to get up and answer some of these questions. Number one, the memo that he's referring to, or the information out of the memo you gave evidently that he's referring to, why are those numbers evidently your numbers so much different than what we ended up with coming from staff? Mr. Newton said, on the bottom of that page of the hours per case, those are typical hours per case. There are many address assignments which do take an hour, but there are address assignments —, I've just had one where I've had three meetings with the attorney, two of my staff members have had two meetings with the same attorney, there have been three meetings with the property arm, and there have been about 30 telephone calls. Commissioner Price asked, how often does that —? Mr. Newton said, all from the same address. Commissioner Price asked, how often does that happen? Mr. Newton said, to that magnitude maybe —, maybe once a month. Commissioner Price said, okay. Mr. Newton said, but the average one —, the average is certainly significantly in excess of an hour. Absolutely. Commissioner Price said, okay. A lot of what this is all about has to do with managing information, is that correct? Mr. Newton said, that's correct. Commissioner Price said, we have the GIS system, and I'm sure some of this is in there. Are you estimating the cost of finishing out the build-out of GIS or are you estimating any of the costs related to GIS [inaudible] here? Mr. Newton said, the only GIS costs are the actual costs of producing a specific map for a specific zoning petition or the digital aerial photo for presentation at the MPC meeting. Commissioner Price said, my point is —. Mr. Newton said, none of the costs of the GIS. Commissioner Price said, okay, good. I'm glad to hear that. My point though is GIS can be used to a much greater extent than what we're using it. We're going to use it. We're building the foundation for that, and you know it. You can see what this is about is GIS related. Mr. Newton said, and in future years we anticipate these costs could very well drop considerably. Commissioner Price asked, and what happens with the fees then? Mr. Newton said, I would assume that they would be adjusted.

Chairman Hair recognized County Manager Abolt. County Manager Abolt said, yes, because of the —. Commissioner Price asked, they would be adjusted automatically down? County Manager Abolt said, no, no. Commissioner Price asked, give me a break. When have we ever done that? County Manager Abolt said, well, you have. You have. Dr. Hair and Dr. Thomas, gentlemen, each year we do that when we come forward in Mr. Anderson's budget. We're under very tight strictures from the very law the attorney has been talking about relative to the way in which we currently assess building permit fees. We have to be accountable. We understand that. We're fully prepared, as we have already done, to bring to you each year a report. In this case we'll even go to the external auditor, have him look at the operation and verify whether there's an imbalance, and then you will each year revisit, choose to adjust upwards or downwards. I do submit you have adjusted downward building permit fees. That's your track record.

Commissioner Price said, okay. Well, my point, Russ [Abolt], also would be that we need to fully utilize an almost \$3 million investment of the GIS. We've spent that amount of money. County Manager Abolt said, you're absolutely right, sir. Commissioner Price said, and we're not using it near what we could, and a lot of this, a lot of these costs could be trimmed significantly by the advanced use of the GIS. County Manager Abolt said, yes sir. Commissioner Price said, I have a hard time trying to base fees knowing we've got a tool in place that could be used and it's not being used to its fullest. County Manager Abolt said, not to its full extent, but remember it is being used extremely well, particularly in Engineering where through the use of that tool we were able to save \$7 million on our drainage program, but we've not even scratched the surface of the technology. Commissioner Price said, I understand that, and you're right, and everybody agrees that it's a great thing to have, but my point is are we establishing the basis for these fees, Russ [Abolt] and Milton [Newton], on current use of —, current work habits, current labor, current hours per case? Yes. Are we looking at what it will save us in the future, are we looking at —? I mean, I don't think it's fair to set those fees when we know we've got a tool, a significant tool at hand that will decrease that cost. County Manager Abolt said, we feel it's fair from the standpoint, as the attorney has told you, we're giving our best professional estimate as the costs we have right now. Each year, as we might get better or as the volume which —, we'll revisit, we'll come back to you and give you the exact costs.

County Attorney Hart asked, Mr. Chairman? I don't want to leave the impression that staff would agree that this formula on the \$142,784, they would agree with the methodology on Exhibit 2. We received this yesterday at about 4:11 in the afternoon and convened a meeting of everybody involved in the calculation of costs. We were here pretty late last night going through this letter trying to determine what we thought the constructive criticism of the fee base needed to be addressed because, you know, something this involved, this complex, gee, we need to revisit the thing and make sure that we're on the same wave length, same ball park. Two of the things we said this morning that we're willing to omit from the ordinance is a result of that, but to give you an example of the difference in philosophy of what is reasonable and reasonable costs, if you took the \$142,784 that are allocated on Exhibit 2, that assumes two things: an hourly rate that is typical and it assumes that we some how or another we're going to come up with a super average. We've had to guess. We've had to —, on historic records based on economic circumstances, as to how many times we make one of these services during the year, and we've tried to err on the conservative side of those estimates, but if we fall short, that is going to —, we're still going to have to provide the service and we're going to be underfunded in those departments. Now the thing that you need to also recall is if you take that \$142,000 and say, gee, their formula is the best way of doing it and that's the reasonable cost of providing the services, which again we don't agree with that methodology, under that methodology we would essentially be paying for one and a half planners on a full-time basis. That's what our cost is. We employ four full-time planners, and this number doesn't include anything for secretarial time, graphics time, general planning time, specialists, other indirect or overhead costs as far as people like Mr. Newton, who is at every one of the MPC meetings, day in and day out. That would be excluded from that time of activity. So, you know, I just —, I think from the staff's point and, you know, I defer to Mr. Newton and I refer [sic] to Mr. Bungard because both of them administer a bunch of federal programs, and they're subject to federal audits and federal compliance standards. This is not, and I want everybody to understand, this is not their entire budget being balanced on the back of some particular occupation or some particular group. This is just a simple situation of trying to allocate costs to a user.

Chairman Hair said, okay, we have Commissioner Saussy, Commissioner Odell and Commissioner DeLoach. Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy asked, on these figures, these man-hour costs, does that include pension plans and things like that because you've got a lot of things that enter into this thing other than just an hour, a straight hour wage? Mr. Newton said, fringe benefits are included. Commissioner Saussy asked, they are included in the price? Mr. Newton said, yes. Commissioner Saussy said, okay. The other thing, you mentioned a while back about the City has a fee for subdivisions and we don't. Why? Mr. Newton said, I really can't —, can't answer that. Commissioner Saussy said, well, the thing that really upsets me here, I mean, the County is really taking less time of the MPC and the City's taking more because they're expanding more, and yet we're paying equal shares of the MPC and we don't even have a fee for subdivisions like they do. Chairman Hair said, okay. Mr. Abolt, answer that please.

County Manager Abolt said, we're addressing that and many other issues in the standpoint of equity. Commissioner Murray and Commissioner Rivers have been on the MPC, know the balancing act of the last several years. We've been very careful to make sure there was a fair appropriation, but I have to tell you with a great deal of pride what you're contemplating doing today is definitely a major step in addressing Stephens-Day, the issue of equity, exactly what the Chairman said about assigning costs. This is a business proposition. It's defensible particularly in light of the type of almost open rebellion we have from property taxpayers saying why have we subsidized so long certain services. Commissioner Saussy has just given testimony to one of those subsidies.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, Russ [Abolt], my concern was that counsel has indicated that their —, our method of computing the cost and fee schedule is unlawful. Mr. Boyd said, that's correct. Commissioner Odell said, and that's based upon —. Mr. Boyd said, well, let me, let me clarify that a bit. When you say the method is unlawful, the method may be subject to challenge. I mean, using a 70% overhead allocation, a 20% adjustment on top of that, just —, and the fluctuations in the number of permits from an earlier —, the changes in staff ought to compensate for that, but that method in and of itself is something homeowners can probably work out, but it's the setting of costs at rates that don't —, the setting of fees that

are rates that don't reflect the costs. That's what's unlawful. It's saying —, it's having a memo that says our annual cost for development services is going to be \$288,000 so let's raise \$488,000 in fees. That's unlawful. Commissioner Odell asked, you're saying that the fee structure that is recommended would produce greater revenue than the service being provided? Mr. Boyd said, exactly. And it would, just as has been the case with the Inspections Department, those fees would have to be kept in a restricted fund, and County Manager Abolt mentioned that there has been a rollback of fees in Inspections to try to lower that, and that did happen about five —, four or five years ago where y'all rolled them back I think a couple of times between '95 and maybe '97. But at the same time, you were generating surpluses into the millions of dollars in the restricted revenue account.

Commissioner DeLoach said, not from —, not from MPC. Mr. Boyd said, no, from Inspections. Commissioner DeLoach said, yes, right. Mr. Boyd said, that's from Inspections, so that —, it will work the same way here. What happen with those fees? Oh, I'm sorry. Chairman Hair said, let's go ahead, same order. Commissioner Odell.

Commissioner Odell said, Eddie [DeLoach] had a question. I was [inaudible]. Commissioner Odell said, go ahead. Commissioner Odell asked, the method of computation, is it your opinion that the 70%, is that based upon a case or a provision in the law that you can specifically refer to? Mr. Boyd said, I want to say —, and Jon [Hart] can tell you specifically, but I believe they chose that rate because maybe for one of the other governmental funding —, inter-governmental fundings that y'all are involved in, you're allowed by the Department of Transportation to use a 70% overhead rate. Commissioner Odell said, okay. But basically the method used by the staff, you have no information or a case law which you can cite which says that that method is in and of itself unlawful? Mr. Boyd said, that's correct, and if you look the attachment I gave you when I [inaudible] the Newton section, that's using the same methodology. Commissioner Odell said, right. The variance as to what the staff has offered as to what you feel your clients [inaudible] is a matter of opinion? Mr. Boyd said, well, I don't know that it's a matter of opinion so much as it's a matter of they —, they're saying now that their cost number is here, but when you use their earlier memo, it says that their cost number is a half million dollars below that. I mean, it's a matter of math. Commissioner Odell said, yes, I understand that, but ultimately how you arrive at the fee structure, there's no information that you can offer that says our conclusion, regardless of the memo, is in fact unlawful. Mr. Boyd said, no, and the reason I say that it's incorrect is because right now there's a May 10th memo from Mr. Newton to Mr. Hart that approximates the development services costs to MPC at about \$280,000 and they're asking you to approve \$480,000 in fees. That in and of itself —, if his memo is correct and those fees are raised, it is unlawful. Commissioner Odell asked, and if his memo is incorrect and those fees are raised, then is it your opinion that it's lawful? Mr. Boyd said, if he has a —, if they spend \$480,000 in costs to provide these services, they're allowed to charge \$480,000.

Chairman Hair said, Mr. Newton needs to make a comment.

Mr. Newton said, the 280-something thousand dollars that was mentioned in the memo reflects the fact that our organization is divided into various sections. There's one section called Development Services, in which Bill Saxman and Gary Plumbly, people that you are familiar with, work. In addition to the duties that they encumber during —, doing development reviews, we also have other sections that are not in the Development Review Section that are involved. For instance, we had very frequently involved our Transportation Planner in zoning issues, in master plan reviews and approvals, and considerable amounts of hours. His time does not appear in the Development Review Section. It's over in the Transportation Planning Section. So it's not correct to say that the \$280,000 is all that is spent on development reviews. It's all that's charged to the Development Review Section of our office. Out of the \$2 million requested budget, overall budget for this year, the amount being requested from the County for this purpose is about 400 and —, I think, 458 —.

Commissioner Odell said, Milton [Newton], before you go. I've just got one or two follow-up questions if you'll remain. My other question is, the purpose here was to assign the cost to those who utilize the service. Is that —, is that a true statement? Mr. Newton said, and we were identifying the costs to provide that service. Commissioner Odell said, right, and we didn't bring in a cost accountant, we did not do [inaudible] to come up with an exact, precise based upon two years study. Mr. Newton said, we identified over the last three years the numbers. For instance, in the last three years the number of subdivisions in unincorporated Chatham County have increased 76%, so our workload has increased 76%. The number of petitions to the Zoning Board of Appeals in unincorporated Chatham County has increased 42%; hence, the workload 42%. So the man hours associated to do that work is what we have included in the current memo. Commissioner Odell said, my last question is whether or not, based on your opinion, your knowledge of the proposal recommended, would that achieve the ultimate goal, and that is assign a cost —, assigning fees based upon the cost. Does it achieve that goal? Mr. Newton said, we believe it does. Yes sir. Commissioner Odell said, that's all I've got. Thank you.

Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, at the end of —, how long is this for, for a year? This structure set up for a year? County Manager Abolt said, yes sir. Given your —, again, with the very precedent you've used with Inspections, each year we'll come back to you. As I've committed to you, we'll have the external auditor look at the operation so you'll be able to determine each year what these fees should be. Commissioner DeLoach said, okay, so at the end of that there if there's any —. County Manager Abolt said, yes sir, you'll make the adjustment. Commissioner DeLoach said, variance in the monies or whatever —. County Manager Abolt said, absolutely. Commissioner DeLoach said, we'll be able to refund back

to these gentlemen or adjust down or whatever. County Manager Abolt said, just as you've done in Mr. Anderson's budget. Commissioner DeLoach said, like we had to do in Inspections. County Manager Abolt said, yes sir.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes. I know we aren't supposed to be comparing what other people charge on their fees —. Mr. Boyd said, right. Commissioner Murray said, but I'm going to do that. Mr. Boyd said, okay. Commissioner Murray said, if everything that you're saying is right, and we have a fairly large staff with MPC, Engineering and our Inspections Department —. Mr. Boyd said, yes sir. Commissioner Murray said, that worked on these issues. Tybee Island's fees, if I'm not mistaken, are much higher than ours. They use some of our services. They have a much smaller staff than ours and I'm sure not paid what our staff is paid. Have you gone after them? I don't think you have. I think the only thing you're doing is because we have now talked about doing ours what we think is fair, now y'all want to come after us with it. All we're asking y'all to do is pay your fair share on what our costs are to do this. Now the —, I don't see how you can justify what they're doing in another municipality as to what we're doing with the cost of what they've had to do it with versus the cost that we do it with. Mr. Boyd said, if it's a consolation to the Commissioners, we —. Commissioner Murray said, it probably won't be, but go ahead. Mr. Boyd said, we've involved five other counties now in litigation because of this, and on your recommendation I guess we can add Tybee Island to the list. Commissioner Murray said, I'm not recommending you doing that. I'm just using that as a —. Mr. Boyd said, and I do appreciate the temptation to look at other counties, but I promise you the judge won't because it's —. Commissioner Murray said, well, if it's up to the judge [inaudible]. Mr. Boyd said, that is not the law.

Commissioner Murray said, well, I'd like to make a motion. Chairman Hair said, all right, we have a motion being made.

County Attorney Hart said, Mr. Chairman, I would like to make one clarification just for the record if you don't mind before Commissioner Murray —, we had talked about deleting that \$50,000 fee and it appears in the numbers, but last night when we were going back through the numbers we realized that that \$50,000 fee was not included in the fee structure. Therefore, there's no action that needs to be taken to delete that, and I don't know if the record was clear on that. Chairman Hair said, okay. Commissioner Murray asked, so is this motion okay like it is? County Attorney Hart said, yes, the motion's fine.

Commissioner Murray said, I move that we approve the proposed amendment to the Chatham County Revenue Ordinance, Article S, Engineering Fees, and Article V, Appeals, Rezoning, Development and Review Fees, and that Section 1.c-e and Section 2.f of Article S, Engineering Fees, be deleted, and that the Preamble to the Amendment to the Chatham County Revenue Ordinance, Article S, Engineering Fees, and Article V, Appeals, Rezoning, Development and Review Fees, shall reflect the specific intent of this amendment, and it shall be adopted and shall be made as part of the official minutes. Chairman Hair asked, do I have second? Commissioner Saussy said, second. Commissioner Thomas said, second. Chairman Hair said, all those in favor —. Commissioner Rivers said, Mr. Chairman —. Commissioner Jackel said, let's us —. Commissioner Rivers said, I wanted to ask.

Commissioner Rivers said, Milton [Newton], you said earlier that your cost allocation, your cost allocation was more than what you have entered here. Mr. Newton said, that's correct. Commissioner Rivers asked, what was that a result of? You went back and did a cost analysis —. Mr. Newton said, it was a closer analysis. Earlier when we estimated the time, for instance, to do an address, we were very simplistic. We said, okay, it takes about an hour and we did not factor in the nine meetings that staff has to go through and things of this nature that —, the neighborhood meetings and these sorts of things that rise —, raise that figure, and that was true for several other things as well. Commissioner Rivers asked, how thorough was your review? You know, if you've got a discrepancy there, and this is a large discrepancy —. Mr. Newton said, we feel very comfortable with what is now before you as far as the allocation of our costs. I personally sat down with every staff member that is involved, at least twice, to go over the hours that they spend on each item, and I think that's a very comfortable —. Commissioner Rivers said, let me ask the Manager a question. Do we plan in the future of looking at these cost allocations and substantiating those to make sure that we're within bounds? County Manager Abolt said, yes sir, and if I may permit me editorially to comment beyond just the departments in front of you. It's clearly my intent in future budget years to look at all County services and determine beyond, just what you're doing today, those issues where property taxes may have been used as a result of ease, but should not be used because it's an undue subsidy.

County Attorney Hart said, Mr. Chairman, one other clarification. Chairman Hair asked, is this the last clarification? County Attorney Hart said, yes sir. One other thing that was stated during the course of discussion. I just want to make sure it's clear on the record here is that at the end of the year next year we're going to bring you an audit of those fees that tell us where we are and those fees are going to be adjusted, but I don't know that there will ever be a refund. The fees probably in the next calendar year would be adjusted downward if they're appropriate.

Chairman Hair said, okay, all those in favor —.

Commissioner Jackel said, wait a minute. I'm not ready yet. Let me make one short —. Chairman Hair said, let's wrap it up, okay. Commissioner Jackel said, okay. I appreciate the work staff has done on this and I appreciate Mr. Boyd's comments, and I think one of his more significant comments was that we ought to be able to work this out and it doesn't need to be looking at litigation. One of the things I really wanted when I came on as Commissioner is to have us be business friendly in this County, and certainly our homebuilders are a significant part of the business in this County.

Whether it's homebuilders or whether they're building industrial sites or new hotels, commercial development, we need the image of that. I think we in the past have had that image, and perhaps for a while the City did not because when I went around campaigning I was told four years ago that the County was doing a good job and we were user friendly to the homebuilders and commercial builders, and I think we're still user friendly, but this fee thing is going to be a sticking point, and it would be much better I think if we could get together with Mr. Boyd and his constituents and reach something that we could all agree upon rather than just imposing it on the other, and I would really like to see us take one more crack at seeing if we can't work this out and mutually agree on something rather than us from up on high saying this is the way it's going to be, like it or lump it, and I don't think we want to send that message.

Chairman Hair said, all right, we have a motion and a second. Let's deal with the motion and then we'll deal with anything after the motion. We have a motion and a second on the floor. Commissioner Jackel said, well, until we do that, I —. Chairman Hair said, you can make whatever motion you want to make. Whatever motion you want to make, make it. Do you want to make a —.

Commissioner Saussy asked, we've already got a motion, right? Chairman Hair said, we have a motion and a second. Commissioner Saussy said, I want to say one thing. Chairman Hair said, okay. Commissioner Saussy said, a short one. It might be true that the Homebuilders don't like this, but property tax owners don't like it either. And, by God, we've got to be fair to them, and this is fair to them. It's a user, and that's where it is. I call for the question.

Chairman Hair said, we have a call for the question. Commissioner Price asked, what about new home buyers? Chairman Hair said, all those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Murray, Odell, DeLoach and Thomas voted in favor of the motion. Commissioners Jackel and Price voted in opposition. The motion carried by a vote of seven to two. Chairman Hair said, the motion passes. Okay, that takes us to Items for Individual Action —. County Attorney Hart said, one more motion.

Commissioner Murray said, we've got to make another motion. Chairman Hair said, okay. Commissioner Murray said, my motion is that on all new buildings, structures, alterations requiring a building permit, as set forth in Section A103.1 of the Standard Building Code and Section R-111 of the CABO One and Two Family Dwelling Code, the fee shall be paid as required at the time of issuance in accordance with the following schedule: \$2.00 per thousand dollars of construction value. Chairman Hair asked, do I have a second? Commissioner Saussy said, second. Chairman Hair said, all those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Murray, Odell, DeLoach and Thomas voted in favor of the motion. Commissioners Jackel and Price voted in opposition. The motion carried by a vote of seven to two. Chairman Hair said, the motion passes.

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County Attorney Hart said, Mr. Chairman, I have a housekeeping matter, going back to the Land Disturbance Activities Ordinance under the first [sic] reading. We need a motion —, under the second reading, to amend the Land Disturbance Activities fees to delete them because we've enacted this new ordinance and we just need to get rid of what we had.

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

County Attorney Hart said, thank you. That'll be the last time.

Commissioner Murray said, while we're on —, while he brought that up, let me just ask staff one question. With these new fee structures that we've just approved on an average house roughly how much would that permitting go up? County Manager Abolt said, well, the permit on the —, I cannot speak for what the developer is going to charge for his fee —. Commissioner Murray said, I'm not talking about that. I'm talking about our fees. County Manager Abolt said, I'm glad you brought that up. Your building permit fees have just gone down. By the motion, the last —, not this motion, but the motion you just made, you have reduced your building permit fees to the 1999 level. Commissioner Murray said, but on an average home those fees that we would charge, say a \$100,000 home, would go up roughly how many dollars? Just —, not exact, just a rough guess. Chairman Hair asked, Al [Bungard], would you have —. County Manager Abolt said, we need some time on that. Chairman Hair said, why don't you —. Commissioner Murray said, well, I'd just like to know because all this is being said about how much it's going to raise the cost of a new home. That is just not so. Chairman Hair said, yes.

County Engineer Bungard said, well, I think if you look, the very simplest way, we're going up \$290 per lot, so it will go up \$290 per residence. Chairman Hair said, okay. County Attorney Hart said, but you're rolling back building fees though. County Manager Abolt said, but you're rolling back your building permit fees too. Chairman Hair said, yes, which would be offset —. Commissioner Murray said, which would offset some of that. Chairman Hair said, it would be less than \$290 per [inaudible]. Thank you.

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

1. Commissioner Odell moved to untable these two items and that they be placed before the Commissioners for consideration. Commissioner Price seconded the motion and it carried unanimously. [NOTE: Commissioners Saussy, Rivers and DeLoach were not present.]
2. Commissioner Murray moved to approve the proposed amendment to the Chatham County Revenue Ordinance, Article S, Engineering Fees, and Article V, Appeals, Rezoning, Development and Review Fees, and that Section 1.c-e and Section 2.f of Article S, Engineering Fees, be deleted and that the Preamble to the Amendment to the Chatham County Revenue Ordinance, Article S, Engineering Fees, and Article V, Appeals, Rezoning, Development and Review Fees, shall reflect the specific intent of this amendment, and it shall be adopted and shall be made as part of the official minutes. Commissioners Saussy and Thomas seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Murray, Odell, DeLoach and Thomas voted in favor of the motion. Commissioners Jackel and Price voted in opposition. The motion carried by a vote of seven to two.
3. Commissioner Murray moved that Chapter 20, Article III, Section 20-308 of the Chatham County Code, titled "Permit Fees," be deleted in its entirety, and be amended to read: "On all new buildings, structures, alterations requiring a building permit, as set forth in Section A103.1 of the Standard Building Code and Section R-111 of the CABO One and Two Family Dwelling Code, the fee shall be paid as required at the time of issuance in accordance with the following schedule: \$2.00 per thousand dollars of construction value." Commissioner Saussy seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Murray, Odell, DeLoach and Thomas voted in favor of the motion. Commissioners Jackel and Price voted in opposition. The motion carried by a vote of seven to two.
4. Commissioner Murray moved to approve the amendment to the Land Disturbance Activities Ordinance to delete the land disturbance activities fees. Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Murray, Odell, DeLoach and Thomas voted in favor of the motion. Commissioner Price voted in opposition. The motion carried by a vote of eight to one.

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## **IX. ITEMS FOR INDIVIDUAL ACTION**

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

1. **REQUEST BOARD APPROVE THE FOLLOWING: A GENERAL FUND M&O CONTINGENCY TRANSFER OF \$2,300 FOR SALARY ADJUSTMENTS IN THE SUPERIOR COURT AND A TRANSFER OF \$6,000 WITHIN THE RECREATION BUDGET FOR OVERTIME.**

Chairman Hair said, I'll entertain a motion to approve. Commissioner DeLoach said, so moved. Commissioner Thomas said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

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

Commissioner DeLoach moved to approve the following: A General Fund M&O Contingency transfer of \$2,300 for salary adjustments in the Superior Court and a transfer of \$6,000 within the Recreation budget for overtime. Commissioner Thomas seconded the motion and it carried unanimously.

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2. **BOARD CONSIDERATION OF AN AMENDMENT TO THE FY 2000 GENERAL FUND M&O BUDGET TO RECOGNIZE \$89,670 IN REVENUE FROM THE GEORGIA CLERK'S AUTHORITY AND TO APPROPRIATE \$35,000 TO THE CLERK OF SUPERIOR COURT BUDGET FOR PURCHASE OF A SCANNER AND \$54,670 TO THE GENERAL FUND M&O CONTINGENCY. NOTE: Item pulled at the request of the Clerk of Superior Court awaiting a legal opinion.**

This item was pulled from the agenda at the request of the Clerk of Superior Court.

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**3. FLOOD DAMAGE PREVENTION ORDINANCE VARIANCE REQUEST FROM MS. MARGARET E. WOLFE-COX FOR 107 BREVARD POINT ROAD, LOT 72, BREVARD POINT SUBDIVISION, TO CONSTRUCT TO THE STANDARDS FOR THE AE-15 FLOOD ZONE RATHER THAN VE-15. STAFF RECOMMENDS DENIAL OF THE REQUEST.**

Commissioner Murray said, I think they want to speak first. Chairman Hair said, absolutely. Chairman Hair said, please state your name for the record, sir, and --.

Mrs. Wolfe-Cox said, Margaret E. Wolfe-Cox. Mr. Cox said, Albert James Cox. Chairman Hair said, okay. Please state whatever you'd like to say. Mrs. Wolfe-Cox said, oh, dear. I guess y'all read what I wrote. I was hoping that I —. Chairman Hair said, yes, we have that. Mrs. Wolfe-Cox said, okay. Chairman Hair said, if there's any comments you'd like to add to it or —. We —, everything you have, you have in the file. Mrs. Wolfe-Cox said, right. Chairman Hair said, so —. Mrs. Wolfe-Cox said, I don't really know what else to say. I tried to sum it up as well as possible and as succinct. All I can do is answer questions or if you can help me know what to say to you.

Commissioner Murray said, well, the only thing I can say is I was reading what the County Attorney has come back with his legal opinion on this, and unfortunately it's not going to be the answer that y'all would like to have. We cannot approve, in my opinion, the request you're asking for based on the criteria that the County Attorney used with the fact that your home has not started construction, so it's not the same as one that was already built and some other problems that were involved in that. And I think that the —, also, if I'm not mistaken, he stated that the company that y'all used that gave you that opinion was a company from out of state somewhere that some of the mortgage companies use. Is that —, was that yours or is that from the County Attorney?

County Attorney Hart said, that may have been Al's —, may have been in Al's [Bungard] information sheet. I reviewed all that. Whatever's in there is —. Commissioner Murray said, it might have been. I think that was in the Engineering information sheet. County Manager Abolt said, Facts and Findings Number Five, sir, on Mr. Bungard's staff report. Commissioner Murray said, yes. County Manager Abolt said, a private company in New Jersey. Commissioner Murray said, it says —, yes, a company in New Jersey that is authorized FEMA. "Mortgage companies use these services rather than dealing with multiple local governments. This company reported that Lot 72 was in an AE-15 zone. Their determinations are simply a direct reading from the FIRM without benefit of local information or conditions. Their determinations do not supersede those made by local governments." And I think based on what the County Attorney is telling us, that if we approved your request since the construction was not started, that we would be obligated to approve that for any part of that subdivision that was not developed now but would be developed, which we cannot do that based on the FEMA rules and guidelines we have to go by. If I'm not correct in —.

County Attorney Hart said, that's a pretty broad interpretation. We have to be very careful about granting exceptions and they're usually due an undue hardship situation where through no fault of anyone and the construction's so far along that it's just totally cost prohibitive to make the modifications necessary, and everybody in our community, if they're in the flood plain, has to build a structure that meets the FEMA requirements. So, you know, while it may increase the cost, and I'm very sensitive to that. I understand homeowners are trying to stretch a budget, and the cost of building a house is going up every day, but, you know, if you want to live in the flood plain, you've got to build one that complies with the FEMA guidelines or else you don't get flood insurance and mortgages —, and the lenders can't even make a loan to you.

Commissioner Murray said, I don't know if there's anything else y'all would like to say or not, but based on our legal counsel, there's no way that I can support the change that you're requesting. Mrs. Wolfe-Cox said, well, I guess that's just the way it goes then. Right? Commissioner Murray asked, do we need to make a motion on this or anything?

Chairman Hair said, we have to make a motion. It needs to be denied. Commissioner Murray said, I'll move that the request be denied. Chairman Hair said, do we have a second to that motion? Commissioner DeLoach said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you for your time. Sorry we couldn't help you.

**ACTION OF THE BOARD:**

Commissioner Murray moved to **deny** the Flood Damage Prevention Ordinance variance request from Ms. Margaret E. Wolfe-Cox for 107 Brevard Point Road, Lot 72, Brevard Point Subdivision, to construct to the standards for the AE-15 flood zone rather than VE-15. Commissioner DeLoach seconded the motion and it carried unanimously.

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**4. REQUEST FROM SAVANNAH LAND COMPANY, DEVELOPER OF RICE MILL PLANTATION, TO APPROVE THE CONSTRUCTION OF THE IMPROVEMENTS, TO BEGIN THE WARRANTY PERIOD AND TO REDUCE THE BOND AMOUNT FOR RICE MILL, PHASE 6D.  
[DISTRICT 6.]**

Chairman Hair said, request to pull. Chairman Hair asked, what? County Attorney Hart said, the petitioner has requested in the break to have that matter pulled and reset at a later date. They're very close to working out a matter so that it would just be a normal agenda item.

Chairman Hair said, okay. We'll pull it then.

**ACTION OF THE BOARD:**

This item was pulled from the agenda at the request of the developer.

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**X. ACTION CALENDAR**

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

Chairman Hair asked, anybody want to pull anything from the Action Calendar? If not, I'll entertain a motion to approve the balance. Commissioner Jackel said, 6. Chairman Hair said, I tried to be quick, but I wasn't quick enough. Commissioner Jackel said, I want A. Chairman Hair said, A. Commissioner Jackel said, A, Alpha. Chairman Hair said, I tell you, I'll be glad when election year's over. Commissioner Jackel said, India and K. Commissioner Jackel said, India. Commissioner Jackel said, and Kilo. Chairman Hair said, Kilo. Okay, I'll entertain a motion to approve the balance of the Action Calendar.

Commissioner Thomas said, so moved. Commissioner Odell said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Thomas moved that Items 1 through 7-M of the Action Calendar be approved in their entirety with the exception of Items 6, 7-A, 7-I and 7-K. Commissioner Odell seconded the motion and it carried unanimously.

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

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**1. APPROVAL OF THE MINUTES OF THE REGULAR MEETINGS ON MAY 12 AND MAY 26, 2000, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the minutes of the regular meetings on May 12 and May 26, 2000, as mailed. Commissioner Odell seconded the motion and it carried unanimously.

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**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD MAY 18 THROUGH MAY 31, 2000.**

**ACTION OF THE BOARD:**

Commissioner Thomas moved that the Finance Director is authorized to pay claims for the period May 18, 2000, through May 31, 2000, in the amount of \$7,197,831. Commissioner Odell seconded the motion and it carried unanimously.

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- 3. **REQUEST FROM ENGINEER FOR BOUY BROTHERS BUILDERS, DEVELOPER, TO RECORD THE SUBDIVISION PLAT FOR THE COTTAGES AT CAUSTON BLUFF, PHASE 3C.  
[DISTRICT 3.]**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the request from the engineer for Bouy Brothers builders, developer, to record the subdivision plat for The Cottages at Causton Bluff, Phase 3C. Commissioner Odell seconded the motion and it carried unanimously.

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- 4. **REQUEST BOARD APPROVE A REVISION TO THE UTILITY RELOCATION CONTRACT AGREEMENT WITH SAVANNAH ELECTRIC AND POWER COMPANY IN THE AMOUNT OF \$3,789 FOR RAISING THEIR 115 KV TRANSMISSION LINE FOR THE POOLER PARKWAY, PHASE II, PROJECT.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve a revision to the Utility Relocation Contract Agreement with Savannah Electric and Power Company in the amount of \$3,789 for raising their 115 KV transmission line for the Pooler Parkway Phase II Project. Commissioner Odell seconded the motion and it carried unanimously.

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- 5. **REQUEST BOARD APPROVAL TO DECLARE AS SURPLUS AND OFFER FOR SALE A SUBSTANDARD SIZED LOT ON WEST 41<sup>ST</sup> STREET IN THE CITY OF SAVANNAH.**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the request to declare as surplus and offer for sale a substandard sized lot located at 0 West 41<sup>st</sup> Street (PIN 2-0073-31-004) in the City of Savannah. Commissioner Odell seconded the motion and it carried unanimously.

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- 6. **REQUEST BOARD APPROVAL TO ENTER INTO AN INTER-GOVERNMENTAL AGREEMENT WITH EACH PARTICIPATING MUNICIPALITY FOR THE COUNTY-WIDE CANAL MAINTENANCE PROGRAM.**

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, only five of the people have approved. What seems to be the problems with the others? Mr. Robert Drewry said, good morning. My names' Robert Drewry, Public Works. The other two that remain are Tybee and the City of Savannah and we're still working out with theirs. We haven't gotten those signed yet. County Manager Abolt said, we're not stopping maintenance. Mr. Drewry said, no, we're not stopping, no sir. Commissioner Jackel said, okay, so we anticipate that we'll get them on board and we can get this whole thing done. Mr. Drewry said, that's correct. Commissioner Jackel said, good.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Jackel said, I'll move —. Chairman Hair asked, is there a second to the motion? Commissioner Price said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Jackel moved to approve the request to enter into an inter-governmental agreement with each participating municipality for the County-wide Canal Maintenance Program. Commissioner Price seconded the motion and it carried unanimously.

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Contract to provide a master plan for the Savannah-Ogeechee Canal Corridor	SPLOST	Hinesley Hickson Association (WBE)	\$200,000	SPLOST (1998-2003) - Tom Triplett Park/Ogeechee Canal
B. Confirmation of Change Order No. 1 to the contract to construct the Jimmy DeLoach Parkway Interchange at SR21 for additional storm drain pipe	SPLOST	R. B. Baker Construction	\$10,032.10	SPLOST (1993-1998) - Jimmy DeLoach Parkway Interchange at SR21
C. First renewal option to the annual contract to provide HVAC water treatment chemicals	•Building Maintenance and Operations •Detention Center	Anderson Chemical Company	\$9,735.62	•General Fund/M&O - Building Maintenance and Operations •General Fund/M&O - Detention Center
D. Annual contract for the purchase of gasoline and diesel fuel	Various	• Barrett Oil Company • Sommers Oil Company	Varies by item	•General Fund/M&O - Various •SSD - Various
E. First renewal option to the annual contract to provide cellular telephone service	Various	Alltel Communication	Varies by item	•General Fund/M&O - Various •SSD - Various
F. Two (2) Dell Precision Workstation computers with monitors	Police	Dell Marketing	\$13,559	SSD - Police
G. One (1) pickup truck	Health Department	J. C. Lewis Ford	\$12,018.35	General Fund/M&O - Health Department
H. Confirmation to rescind the award of the purchase of a network server for the Trade Center and award to the next low bidder	SPLOST	Computer Network Engineering, Inc.	\$36,250	SPLOST (1993-1998) - Trade Center - FF & E Budget
I. Confirmation of the emergency purchase for the removal of asbestos material from five County obtained houses that are part of the Truman Parkway, Phase III	SPLOST	Action Insulation Company, Inc.	\$27,990	SPLOST (1985-1993) - Truman Parkway - Phase III
J. One (1) pickup truck	Police	J. C. Lewis Ford	\$19,537	CIP - Vehicle Replacement
K. Confirmation of Change Order No. 4 for design/engineering of repair of a Hutchinson Island sewer main; added construction review and relocation of a valve station	Hutchinson Island Water and Sewer	Hussey, Gay, Bell and DeYoung	\$78,664	Hutchinson Island Water and Sewer Account

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
L. Confirmation of a purchase order to demolish four houses located on the Phase III, Truman Parkway right-of-way	SPLOST	Aces One Construction of Savannah	\$17,500	SPLOST (1985-1993) - Truman Parkway, Phase III
M. Approval of a shortlist of three engineering firms to continue in competition to design storm water improvements for the Conaway Canal drainage system	Drainage Improvement	<ul style="list-style-type: none"> <li>• Thomas and Hutton</li> <li>• Hussey, Gay, Bell and DeYoung</li> <li>• B. P. Barber</li> </ul>	N/A - Short-list approval	N/A - Short-list approval

**As to Items 7-B through 7-M, except 7-I and 7-K:**

Commissioner Thomas moved to approve Items 7-B through 7-M, except Items 7-I and 7-K. Commissioner Odell - seconded the motion and it carried unanimously.

**As to Item 7-A:**

CONTRACT TO PROVIDE A MASTER PLAN FOR THE SAVANNAH-OGEECHEE CANAL CORRIDOR; SPLOST; SOURCE: HINESLEYHICKSON ASSOCIATION (WBE); AMOUNT: \$200,000; FUNDING: SPLOST (1998-2003) - TOM TRIPLETT PARK/OGEECHEE CANAL.

Chairman Hair recognized Commissioner Jackel.

I think this is a great program here and I'm glad we're moving forward, and I just wanted to let all our viewers, our millions of viewers know that we are doing this. Chairman Hair asked, is it millions of voters or millions of viewers? I think it's millions of voters, isn't it? Commissioner Jackel said, no, I —. Chairman Hair said, oh, okay. Commissioner Jackel said, I've done this from day one. Chairman Hair said, okay. Commissioner Jackel said, that this —. Chairman Hair said, oh, I agree with that. Commissioner Jackel said, program along a historic route and it's going to be 17 miles from the Savannah River to the Ogeechee River in Chatham County, and we're moving ahead with this and it is going to be a great thing for us, and I move for approval.

Chairman Hair said, motion and second. Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**As to Item 7-I:**

CONFIRMATION OF THE EMERGENCY PURCHASE FOR THE REMOVAL OF ASBESTOS MATERIAL FROM FIVE COUNTY OBTAINED HOUSES THAT ARE PART OF THE TRUMAN PARKWAY, PHASE III; SPLOST; SOURCE: ACTION INSULATION COMPANY, INC.; AMOUNT: \$27,990; FUNDING: SPLOST (1985-1993) - TRUMAN PARKWAY, PHASE III.

Chairman Hair recognized Commissioner Jackel.

Commissioner DeLoach said, I move for approval. Commissioner Price said, second. Commissioner Thomas said, second. Chairman Hair said, motion and second. Okay, Commissioner Jackel. The Clerk asked, did we have a second. Commissioner Thomas said, I seconded. Chairman Hair said, yes, we had a second, Commissioner Price. Commissioner Jackel asked, do we know when we —, is there a way to know before going in that we're going to run into these problem? Mr. George Lynch said, there is not until you do the inspection, sir, of the individual home with a certified asbestos inspector. The situation is we acquire these properties. Some take longer than others. As soon as that property is acquired, the asbestos inspection is conducted, but they're not all able to occur at the same time simply because of the times that we're able to complete acquisition of the individual properties. Commissioner Jackel asked, can we not make this inspection earlier and have it somehow impact the price that we pay for these things? Mr. Lynch said, no sir. Commissioner Jackel said, because here we think we've given what's a reasonable price and then we have substantial additional costs because we then find out there's asbestos. Commissioner Odell said, but we're asked them to move. Commissioner Jackel said, well, that —, I understand that clearly. It certainly hurts us in any sort of budgeting effort because we keep buying this pig in a poke and we don't know whether —. Mr. Lynch said, I think in a parametric sense, sir, we recognize that we're going to have a rather high percentage of homes of vintage, let's say, more recent, and that's taken into account.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray asked, do these two houses have the asbestos siding on the outside? Is that what the problem is? Mr. Lynch said, I believe these are the ones, sir, that had the interior insulation type of situation.

Commissioner Jackel said, I'll move for approval. Chairman Hair said, we already have a motion and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**As to Item 7-K:**

CONFIRMATION OF CHANGE ORDER NO. 4 FOR DESIGN/ENGINEERING OF REPAIR OF A HUTCHINSON ISLAND SEWER MAIN; ADDED CONSTRUCTION REVIEW AND RELOCATION OF A VALVE STATION; HUTCHINSON ISLAND WATER AND SEWER; SOURCE: HUSSEY, GAY, BELL AND DEYOUNG; AMOUNT: \$78,664; FUNDING: HUTCHINSON ISLAND WATER AND SEWER ACCOUNT.

Commissioner Jackel said, apparently on this from what I can read from the report, the —, there was some heavy equipment used, heavy construction immediately adjacent to the sewer easement. Why are we having to pay this rather than maybe someone else who may be responsible for the problem? Mr. Lynch said, I don't —, I'm deliberately going to avoid getting into detail because that is still under consideration. This is precisely the same item that you approved the construction part of in two previous meetings. In this case, we are dealing with the requirement for Hussey, Gay to perform the engineering, the costs that were inherent in that. I want to make it abundantly clear also inherent in this is the need, completely separate, which involved having to relocate a couple —, rather, a valve station from the Bekins' property to SEPCO property as a result of some changes, development there. I prefer not to get into the issue of who shot John. That is still being examined.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Odell said, so moved. Commissioner Price said, second.

Commissioner Jackel said, so what you're saying then is we may be compensated back for this? Mr. Lynch said, well, let me make this point. I think it's very important to remember. We are going to be 100% compensated for all of our expenses on the Hutchinson Island water and sewer system, including the bore, as this occurs, as development occurs and people pay connection fees. So, if you would, all of this is going to be a reimburse.

Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. The Clerk asked, did we have a motion and second? Commissioner Price said, yes, Billy [Hair] made the motion and I seconded it. Chairman Hair said, I can't make a motion. Commissioner Odell said, I made the motion and he seconded. The Clerk said, thank you.

**ACTION OF THE BOARD:**

1. Commissioner Thomas moved to approve Items 7-B through 7-M, except Items 7-I and 7-K. Commissioner Odell seconded the motion and it carried unanimously.
2. Commissioner Jackel moved to approve Item 7-A. Commissioner Odell seconded the motion and it carried unanimously.
3. Commissioner DeLoach moved to approve Item 7-I. Commissioners Price and Thomas seconded the motion and it carried unanimously.
4. Commissioner Odell moved to approve Item 7-K. Commissioner Price seconded the motion and it carried unanimously.

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**XI. FIRST READINGS**

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

1. PETITIONER, KAREN DOVE BARR, AGENT (FOR DONALD R. MCCURDY AND CAROL W. MCCURDY, OWNERS) IS REQUESTING REZONING 6981 CONCORD ROAD, APPROXIMATELY 7.14 ACRES, FROM R-1 (ONE-FAMILY RESIDENTIAL) TO R-3 (MULTI-FAMILY RESIDENTIAL) IN ORDER TO BRING TWO NONCONFORMING USES ON THE SUBJECT PROPERTY INTO COMPLIANCE WITH THE ZONING ORDINANCE. MPC RECOMMENDED DENIAL BECAUSE THE PROPOSED R-3 ZONING DISTRICT WOULD NOT BE CONSISTENT WITH THE CHATHAM COUNTY COMPREHENSIVE PLAN OR THE ISLANDS LAND USE PLAN AND WOULD BE INCOMPATIBLE WITH SURROUNDING ZONING AND ALLOWED LAND USES.  
MPC FILE NO. 00-266-C  
[DISTRICT 4.]

**ACTION OF THE BOARD:**

Read into the record as first reading.

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**XII. SECOND READINGS**

*NOTE: See "VIII. Tabled/Reconsidered Items" for additional second readings.*

1. A TEXT AMENDMENT TO CLARIFY THE DEFINITION FOR "BOARDING OR ROOMING HOUSE." THE MPC RECOMMENDED APPROVAL.  
MPC 00-267-C  
NO DISTRICT/TEXT AMENDMENT/UNINCORPORATED AREA

Chairman Hair said, I'll entertain a motion. Commissioner Price said, so moved. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Price moved to approve a proposed text amendment to clarify the definition for "Boarding or rooming House." Commissioner Thomas seconded the motion and it carried unanimously.

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2. AMEND THE COUNTY BUSINESS/OCCUPATIONAL TAX ORDINANCE TO RESPOND TO THE LATEST OPEN RECORDS PROVISIONS MANDATED BY THE STATE AND TO ADD PROVISIONS FOR THE REGULATION OF FLEA MARKETS WITHIN THE UNINCORPORATED AREA.  
NO DISTRICT/TEXT AMENDMENT/UNINCORPORATED AREA

Commissioner Price said, so moved. Chairman Hair said, I have motion. Do I have a second? Commissioner Murray said, yes. Chairman Hair asked, any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Price moved to approved the proposed amendment to the County Business/Occupational Tax Ordinance to respond to the latest open records provisions mandated by the State and to add provisions for the regulation of flea markets within the unincorporated area. Commissioner Murray seconded the motion and it carried unanimously.

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**XIII. INFORMATION CALENDAR**

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

**ACTION OF THE BOARD:**

Written report received as information.

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

**ACTION OF THE BOARD:**

Written report received as information.

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- 3. PRESENT TO THE BOARD THE COUNTY'S AUDITED COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED DECEMBER 31, 1999, AND THE CHANGES IN FINANCIAL CONDITION. THE AUDITORS WILL BE PRESENT.**

**ACTION OF THE BOARD:**

Written report received as information.

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- 4. PRESENT TO THE BOARD THE AUDITOR'S RECOMMENDATIONS TO IMPROVE INTERNAL CONTROLS AND ADMINISTRATIVE EFFICIENCY FOR THE YEAR ENDED DECEMBER 31, 1999, TOGETHER WITH STAFF RESPONSES TO THE AUDITOR'S COMMENTS.**

**ACTION OF THE BOARD:**

Written report received as information.

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- 5. STATUS OF INSPECTIONS CONSOLIDATION WITH CITY OF SAVANNAH.**

**ACTION OF THE BOARD:**

Written report received as information.

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- 6. FINAL REPORT ON SURPLUS PROPERTY.**

**ACTION OF THE BOARD:**

Written report received as information.

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**EXECUTIVE SESSION**

1. Upon motion being made by Commissioner Saussy, seconded by Commissioner Thomas and unanimously approved, the Board recessed at 11:20 a.m., to go into Executive Session for the purpose of discussing litigation, land acquisition, and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 11:58 a.m.

2. Upon motion being made by Commissioner DeLoach, seconded by Commissioner Price and unanimously approved, the Board recessed at 12:03 p.m. to go into Executive Session for the purpose of discussing personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 12:07 p.m.

3. Upon motion being made by Commissioner Price, seconded by Commissioner DeLoach and unanimously approved, the Board recessed at 12:15 p.m. to go into Executive Session for the purpose of discussing personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 12:22 p.m.

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**ITEMS FROM EXECUTIVE SESSION**

- 1. **REQUEST BOARD APPROVE A MOTION TO AUTHORIZE THE CHAIRMAN/PRESIDING OFFICER TO EXECUTE AFFIDAVITS THAT THE EXECUTIVE SESSIONS WERE HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT.**

**ACTION OF THE BOARD:**

Commissioner Price moved to authorize the Chairman/Presiding Officer to execute affidavits that the Executive Sessions were held in compliance with the Open Meetings Law. Commissioner DeLoach seconded the motion and it carried unanimously.

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**APPOINTMENTS**

- 1. **CHATHAM COUNTY BOARD OF TAX ASSESSORS**

**ACTION OF THE BOARD:**

Commissioner DeLoach moved that Tammy Cox, Jerry Hogan, Sr., and Jackie Sommers be appointed to the Board of Tax Assessors. Commissioner Murray seconded the motion and it carried unanimously.

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- 2. **CHATHAM COUNTY LIBRARY BOARD**

**ACTION OF THE BOARD:**

Commissioner DeLoach moved that Velma McKenzie be reappointed and that Christie Hoover Devine and Jeanne McCorkle be appointed to the Library Board to a term which begins July 1, 2000, through June 30, 2003. Commissioner Murray seconded the motion and it carried unanimously.

=====

- 3. **CHATHAM AREA TRANSIT AUTHORITY**

**ACTION OF THE BOARD:**

Commissioner DeLoach moved that Wayne Dawson be appointed to the Chatham Area Transit Authority to represent citizens with a disability. Commissioner Odell seconded the motion and it carried unanimously.

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**ADJOURNMENT**

There being no further business to be brought before the Board, Vice Chairman Thomas declared the meeting adjourned at 12:25 p.m.

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

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

SYBIL E. TILLMAN, COUNTY CLERK