

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, NOVEMBER 3, 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, November 3, 2000.

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II. INVOCATION

Commissioner Saussy gave the invocation.

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III. PLEDGE OF ALLEGIANCE

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

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IV. ROLL CALL

The Clerk called the roll.

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

Chairman Hair said, I'd like to introduce our Youth Commissioners who are with us today. We have Bridgette Bess, representing Jack and Jill School. She is a Senior at Beach High School. We'd glad to have you. We also have Shantell Boyd, who's a Sophomore at Beach High School. We appreciate y'all being with us this morning, and as we deliberate, if you'd like to say anything or ask a question, raise your hand and I'll recognize you. Okay?

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. PRESENTATION OF 11TH ANNUAL BENJAMIN F. GRIFFIN VOLUNTEER APPRECIATION AWARD TO COMMISSIONER PRISCILLA D. THOMAS.

Chairman Hair said, the first thing on the agenda this morning is one of our own is going to receive an award this morning. We have the presentation of 11th Annual Benjamin F. Griffin Volunteer Appreciation Award to our own Dr. Thomas.

Ms. Colette Balder said, good morning. My name is Colette Balder. I'm the Chairman of Lifeline for Children and this is Debbie Bennett. She is the Social Services Program Director for the Chatham County Department of Family and Children Services. Lifeline for Children was organized 23 years ago as an advisory council to the Chatham County Department of Family and Children Services and has had a singular primary purpose, which is the prevent of child abuse and neglect in Chatham County. This year Lifeline for Children staged its first ever Annual Chatham County Blue Ribbon Campaign in April during Child Abuse Awareness Month to heighten the community's awareness about child abuse and neglect, and I would like to, since I have this microphone and this captive audience, take this opportunity to tell you and invite you to the April 2001 Blue Ribbon Campaign Kick-Off on April 2nd in Johnson Square at 11:30, and I am hoping that you might invite Lifeline back in March to actually present the Blue Ribbon to each of you so that you can wear it to heighten community awareness about child abuse and neglect. This also is National Adoption Awareness Month, and I'd like to distribute information that on November 12th there is a One Church, One Child Service at St. Paul CME Church at 11:00 to highlight the awareness of the need for adoptive families not only in Chatham County and the State of Georgia, but in the country.

Now for what I'm here. I got my commercial in first. In 1990 Lifeline for Children established the Benjamin F. Griffin Volunteer Appreciation Award as a memorial to the late Social Services Program Director Benjamin F. Griffin. Ben was known for his deep concern for the children of our community and for his profound respect for volunteers who give freely and generously of their time in addition to their professional obligations. This year's recipient is Dr. Priscilla Thomas, and Dr. Thomas is being honored for her lifetime efforts in child advocacy as a retired educator, a retired administrator, and a former State Board of Education member, but primarily for her work in the last decade as the founder and Director of the Summer Bonanza Partnership and for her work as founder and Director of the Chatham County Youth Commission, and I'd like if I can at this time to share with you, because I don't think it's fair that it's only the selection committee that gets to see all the good things said about a recipient, so I'd like to share with you some of the comments from the actual nomination. These include: A proven champion of positive youth development; a very vocal and strong advocate for critical services to abused and neglected children; a champion for children and youth rights, and proof of this presence can be seen in her community, in her church, in her district, and countywide; countless hours afforded to projects that benefit our youth. And some of the most interesting and I think meaningful comments in support of the application come from some of the children whose lives that Dr. Thomas has touched, and these children's comments include: Takes the time to attend our meetings and go with us on various outings even though we know she is very busy; makes time for us because she cares for us and she always makes sure that we know it; a role model to me and all the youth of Chatham County; opens her heart to open doors for children who need it; does not let anyone go down the wrong path of life; faces the toughest problems head on and gets the job done; trustworthy and determined. And my personal favorite: Makes me feel like one of her children. As a matter of fact, we are her children.

Mr. Balder said, it is with honor and pride that I would like to now present the 11th Annual Benjamin F. Griffin Lifeline for Children Award to Dr. Priscilla Thomas.

Commissioner Thomas said, there are a few times when I'm at a loss for words, and I can consider this as one. First of all, I'd like to thank my God for allowing me to stand here this morning because I have been ill and have had a rough time in the past month, but I'm grateful to be here. I'd like to say that I'm really full, and I was not even aware of this award until Mr. Van Johnson called me and told me that he had accepted an award for me and I wanted to know what award. But anyway, I do accept this award with humbleness, great appreciation. Whatever I have done to merit this, I want to thank those who played an important role in helping me to achieve this level of volunteerism. I challenge each and every one of us to reach out, especially to our children, not only today but each and every day that you can. We can make a difference. We can make a difference in the lives of each and every one of our children. Never give up on them. I will never give up not on not one child, and for those who are suffering in other areas, we need to lend a helping hand. The smallest amount of anything that you can do will be greatly appreciated, and to this great organization, thank you so very much. I do appreciate it and I hope I can continue not only to make you proud, but to make this community and the children of this community and our nation very proud. Thank you very much.

Ms. Balder said, thank you. Chairman Hair said, thank you. We appreciate you recognizing –, we know how great she is, but we appreciate other people recognizing it. Thank you very much.

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VI. CHAIRMAN'S ITEMS

None.

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VII. COMMISSIONERS' ITEMS

1. CRESTHILL BAPTIST CHURCH PROPERTY - REQUEST BOARD DECLARE A PORTION OF THE OLD MONTGOMERY ROAD RIGHT-OF-WAY AS SURPLUS AND TO QUIT CLAIM THE PROPERTY (COMMISSIONER SAUSSY).

Chairman Hair said, I want to recognize Commissioner Saussy to make a motion, I think we probably got all of our problems worked out with the Cresthill Baptist Church property. Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy said, yes, I'd like to make a motion that we declare this portion of Old Montgomery Road right-of-way as a surplus and quitclaim the property to the Cresthill Baptist Church. Chairman Hair asked, have we got a second? Commissioner Odell said, second. Chairman Hair asked, any discussion?

County Attorney Hart said, Mr. Chairman, I'd also like that motion to include a finding of the County Commission that the property in question has *de minimis* value. It's less than 1/100th of an acre and the cost of having to do an appraisal would probably far exceed the purchase price or value of the property, if you can figure out a value.

Commissioner Saussy said, I'll make that part of the motion. Chairman Hair said, okay.

Commissioner Jackel said, let's just --, I heard what you said. I think we just need to state a little bit more for the record why we're doing this. Chairman Hair asked, what do you want to know. Commissioner Jackel said, I --. Chairman Hair said, if you've got a question, we've [inaudible]. Commissioner Jackel said, I know what's in here, but this is --, doesn't become officially part of that record.

Commissioner Saussy said, well, basically, what it is it's a very small sliver of property that actually they thought they had paid for years ago. Chairman Hair said, right. Commissioner Saussy said, but it never was recorded apparently, and what we want to do is correct this and basically give them the property that they thought --.

Chairman Hair said, that's exactly what it does. It corrects a mistake from some time ago. Commissioner Jackel said, I'm in favor of it, I just wanted to --. Chairman Hair said, all in favor of the motion vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

Commissioner Jackel said, just one second, if I may. Mr. Felser, does that solve your problem. Mr. Felser said, yes sir. My understanding is that permits can be issued as of today. That was the critical --. Chairman Hair said, that is correct. Mr. Felser said, and I do want to thank the Board and I particularly want to thank Mr. Grevemberg with the County staff who helped us tremendously to figure our this puzzle, and it was a puzzle. Thank you.

Chairman Hair said, thank you.

ACTION OF THE BOARD:

Commissioner Saussy made a motion that the County declare an approximate 240 square foot portion of the Old Montgomery Road right-of-way as surplus, the property having *de minimis* value, and quitclaim the property to Cresthill Baptist Church. Commissioner Odell seconded the motion and it carried unanimously.

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2. REQUEST COUNTY ATTORNEY RENDER A RULING ON THE CHATHAM COUNTY ZONING ORDINANCE'S LEASABLE SPACE PROVISION.

Chairman Hair said, I'll recognize Commissioner Saussy to request the attorney's ruling.

Commissioner Saussy said, yes, I would –, on a Zoning Administrator's determination of leasable property, leasable space, I'd like a determination on that from the attorney before November 7th, which is a meeting of the MPC, so we need that ruling so they can move forward on this thing.

Chairman Hair said, basically what this involves is the MPC has to make a ruling next Tuesday on a site plan that deals with the appropriate property at Marshpoint. We've had a ruling from the Zoning Administrator. There's been some concern about the ruling and all this does, it just requests the County Attorney to make a ruling so that the MPC can act properly on next Tuesday.

Commissioner DeLoach said, I've got a question. Chairman Hair said, sure. Commissioner DeLoach said, I think we need to –. I don't know whether I can or not, but I've got a concern about this whole process that took place, and I don't know if there's any possibility of us looking at it before the –, or do we have a right to look at it before the –, they actually make a ruling on it because it involved a situation that we had I don't know how many years ago concerning this same issue, and some how or another somebody's trying to put the puzzle together a different way and I'm just concerned about the whole situation there.

Chairman Hair said, I believe, Commissioner DeLoach, that this –, having the attorney rule will address that issue. I think it's –, he's being asked to rule on the Zoning Administrator's interpretation, and I think it will solve that issue once and for all. Commissioner DeLoach said, okay.

Commissioner Saussy said, I think you go forward from there and check out the rest of it and anything else they need to look at.

Chairman Hair said, I think there very likely might be some changes we want to make after next Tuesday, but we need the ruling, the MPC needs the ruling prior to that so that we could –, they can act properly on Tuesday. Commissioner DeLoach said, okay. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I've got the memo that the County Attorney sent out about the Kroger site. I'm sure each one of you have gotten it. I hope you've all read it. While that is not in my district, it affects a lot of people that border that in the Fourth District, and I have some real problems with it also as Commissioner DeLoach has and, you know, has that already been cleared, the land already been cleared? County Attorney Hart said, my understanding is that the site pad, and the only reason I know that is I drive by it, has been cleared and there's been some dirt piled up there, which appears to me like they're surcharging the ground for a –. Commissioner Murray asked, and have all the proper permits been put in place in order to do that? County Attorney Hart said, I think that –, I don't know the status of that. They have not been permitted insofar as the final master plan, but I think they've cleared part of the ground. Commissioner Murray said, well, I would like to see whether they have permits to do all the work they've done thus far with it along with the other stuff you're looking into. County Attorney Hart said, yes sir. Commissioner Murray said, and we've got –, you know, there are too many of these type things that are taking place throughout our County right now, and something needs to be done to correct it, and we've got a process we go through and we need to make sure that everyone goes through that process regardless of how large or how small a developer they are, and it's not happening. We need something to correct it.

Chairman Hair said, I think that –. I agree with you, Commissioner Murray. I think what we've got a short term/long term situation. I think the request of the legal opinion before next Tuesday will help us short term, but I think long term you're correct and Commissioner DeLoach is correct, and we need –.

Commissioner Murray said, well, my question though is if the County Attorney gives his ruling, we won't have another meeting before the MPC meets, and if the MPC addresses certain things, are we locked into certain things for this property once the MPC has said yes or no on it, and if that's the case, I don't see MPC tabling it to the meeting after that until we have another meeting and we can get our information so we know what's going on with it. You know, I mean this is not just for the MPC, we need the information also. County Attorney Hart said, I don't know the entire extent of the development plan on the Kroger site. I know that there are a number of issues that deal with that site. I mean, not just a buffer issue, for example, but parking issues and water and sewer, drainage, and site plan development, and –. Commissioner Murray asked, well, then why would they be allowed to address it at the next meeting until we get all that information back from you? County Attorney Hart said, well, they're going forward with the plan to address those issues and there will be some discussions on that. I think the MPC and MPC staff may have some, you know, they may agree to three of them and say two of them need to go back to the table and work on them. The issue I understand that I am looking at here, other than the permitting issue that you've just added to it, is the interpretation under the Zoning Ordinance of –. Chairman Hair said, what is leasable space. County Attorney Hart said, how we use the definition of leasable space –. Chairman Hair said, that's correct. County Attorney Hart said, as applied to a formula. Is that correct? Chairman Hair said, that is correct. That is correct, the leasable space. That's what we [inaudible] the request from the MPC on.

County Manager Abolt said, I have no idea of the depth of the concerns of member of the Board. Certainly, the MPC is on tract to do something on Tuesday to hear the information. You have a variety of options there. You can ask them not to do it or to do it but defer a decision until after your next meeting.

Commissioner Saussy said, well, I think they ought to defer a decision. Commissioner Murray said, I do too. Commissioner Saussy said, until after -. County Manager Abolt said, you have every right to do that if you want to. Commissioner Murray said, I'd like to see that done.

Chairman Hair said, well, I think we can ask them. I don't know that we can force them to do it, but we certainly can request that they do that. County Attorney Hart said, that's correct. Chairman Hair said, we can -. They certainly can take it up if they want to. Commissioner Murray asked, do we need a motion so we'll have a vote on it? Chairman Hair said, we can request. What we're doing, the motion should address the request that the County Attorney make a ruling and also request it being delayed. That's, is everybody agree with the motion? Commissioner Saussy said, I'd like to make that motion then. Chairman Hair asked, do I have a second to the motion? Commissioner Murray said, I'll second it. Chairman Hair said, 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 Saussy moved that the County Attorney address a ruling by the Zoning Administrator as to "leasable space" and that this be done prior to the MPC's meeting on November 7, 2000, and also that the MPC be requested to withhold a decision on this matter until after the next meeting of the County Commission. Commissioner Murray seconded the motion and it carried unanimously.

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CHATHAM AREA TRANSIT AUTHORITY

The Board recessed the meeting as the County Commission at 9:20 a.m., and reconvened as the Chatham Area Transit Authority.

Upon adjournment of the Chatham Area Transit Authority the Board reconvened as the County Commission at ...# 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 (*).

None.

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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 \$2,500 TO SPECIAL APPROPRIATIONS FOR THE CRIME TASK FORCE, A TRANSFER OF \$750,000 FROM THE HIGHWAY 17 WIDENING (ABERCORN TO DEAN FOREST ROAD) TO HIGHWAY 17 WIDENING PROJECT (OGEECHEE RIVER TO ABERCORN) WITHIN THE 1985-1993 SPLOST, A SPECIAL SERVICE DISTRICT CONTINGENCY TRANSFER OF \$45,960 FOR SOUTHWEST BYPASS LIGHTING, A CONFISCATED FUNDS CONTINGENCY TRANSFER OF \$15,320**

FOR POLICE DEPARTMENT EQUIPMENT, AND A TRANSFER OF \$70,000 FROM 1985-1993 SPLOST RESERVED FOR VARIOUS COUNTY ROADS TO HERTY FOUNDATION.

Commissioner Price said, so moved. Commissioner DeLoach said, second.

Commissioner Rivers said, I've got a question there. Vice Chairman Thomas said, okay, Commissioner Rivers. Commissioner Rivers said, Mr. Manager. County Manager Abolt said, sir. Commissioner Rivers said, the Special District Contingency transfer of \$45,000 [sic] for lights, Southwest Bypass -. County Manager Abolt said, yes sir. Commissioner Rivers asked, how much lighting are we doing? County Manager Abolt said, well, there was an error made in not encumbering it into this current year. In effect, we had an obligation to pay for the electricity. The bill was not promptly paid, so we have to dip back down into it. The actual bill, I don't know the specifics as to the length, it just says billing for Southwest Bypass, \$45,000, almost \$46,000. I don't think -, I'll have to defer to Mr. Bungard if we have available the actual length of the lighting.

Commissioner DeLoach said, we haven't paid the bill. We missed the bill and didn't pay it. County Manager Abolt said, we missed a bill last year. In effect, the money was set aside, but it was not encumbered and so it lapsed at the end of our fiscal year. What I cannot answer, I can only assume and that's dangerous, that it's for lighting of the entire Southwest Bypass, which is not very much.

County Engineer Al Bungard said, right, it's the entire interchange lighting with that. Commissioner Rivers said, the interchange. County Engineer Bungard said, and the bill was not paid, I think, a year or two ago by Finance and it was -, when the next programming came about it wasn't budgeted, so we're just fixing some paper work. Commissioner Rivers said, well, let's pay the light bill, man, because I hate dark highways.

Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray said, I don't mind paying the light bill, but how much is that going to leave us once we take that \$45,000 out of Contingency in the Special Service District? County Manager Abolt said, sir, you have -, I don't want to be a smart aleck, but you're relatively flush in SSD. We have \$152,000 in there now so you're down to \$120,000 approximately. Commissioner DeLoach said, well, we've got a bankroll there. County Manager Abolt said, you're down to \$6,000 in M&O. Commissioner Commissioner DeLoach said, call for the question.

Vice Chairman Thomas said, call for the question. All in favor of the motion, please vote. Opposals? The motion carried unanimously. [NOTE: Chairman Hair was not present.] Vice Chairman Thomas said, the motion is carried.

ACTION OF THE BOARD:

Commissioner Price moved to approve the following: a General Fund M&O Contingency transfer of \$2,500 to Special Appropriations for the Crime Task Force, a transfer of \$750,000 from the Highway 17 Widening (Abercorn to Dean Forest Road) to Highway 17 Widening Project (Ogeechee River to Abercorn) within the 1985-1993 SPLOST, a Special Service District Contingency transfer of \$45,960 for Southwest Bypass Lighting, a Confiscated Funds Contingency transfer of \$15,320 for Police Department equipment and a transfer of \$70,000 from 1985-1993 SPLOST Reserved for Various County Roads to Herty Foundation. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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2. CONCEPTUAL APPROVAL FOR DEMONSTRATION PROJECT TO EXPEDITE DEVELOPMENT PLAN REVIEW.

County Manager Abolt said, Dr. Thomas, gentlemen, I first of all want to recognize Mr. Bungard, Mr. Newton and also Mr. Anderson for coming forward with what will be an innovative test of our ability to review development plans. As you know, we've had turnover, loss of key people in Engineering in particular, and we're trying to mobilize and redirect our resources to address a reoccurring problem, that being the prompt reviewing of development plans. This Board has been more than kind in allowing staff to be experimental. You'll recall we had special contracts set aside over and above normal work hours with two key engineers in Engineering to do this over and above normal working hours. One of those engineers has left and we definitely miss that person's contribution, but to try to do something different with the limited resources we have, I've asked staff and Mr. Bungard and others have responded with some great courage, I might add, that for the next six weeks, actually beginning the middle of November until the end of December, we will put the ultimate priority on development plans. There's a schedule outlined by Mr. Bungard that would have routinized every week a review of plans and recycled plans that don't pass the following week. There will be some things that fall off the table. We're not aware of what they are. We've been trying to identify them in general terms now, but by the end of the six-week period we'll be able to better explain what they are. This should minimize, if not completely eliminate, calls that you have had from individuals in the development community as to prompt response from the standpoint of engineering review. Ladies and gentlemen, Engineering has done an excellent job in my estimation, in large part putting this pressure on our staff and also

putting pressure on the individual engineers and land use planners that when they come forward with their plans for approval by Mr. Bungard and others, the only reason for them not to be approved would be their adequacy or thoroughness in plan submittal.

Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray asked, weren't we supposed to have some things back this meeting with some questions I'd asked? County Attorney Hart said, we're still working on those. Commissioner Murray asked, when will we have them? County Attorney Hart said, you'll have them this week or next meeting. Commissioner Murray asked, we will have them at the next meeting to address at that meeting? County Attorney Hart said, yes sir. Commissioner Murray said, okay, and one other thing while we're going to talk about this and stuff, would you also, if the Commission would support this, look at the law and find out what we as a Commission would have to do to set in place impact fees. County Attorney Hart said, yes sir, I'll be glad to. Commissioner Murray said, thank you. County Attorney Hart said, there is a specific statute dealing with that. Commissioner Murray said, if they're going to sue us over certain things, then certainly we can look at other things.

Commissioner Price said, move for approval. Commissioner DeLoach said, so moved —, second. [Inaudible.] County Manager Abolt said, no it doesn't. I'll tell you what we're doing. We'll come back to you all in January with an overall evaluation, but it might translate too that we cannot measure or quantify the extent. Commissioner DeLoach said, I second that conceptual approval. Commissioner Price said, I move for conceptual approval. County Manager Abolt said, if we start having complaints [inaudible].

Vice Chairman Thomas said, call for the question. Are we ready to vote? Commissioner DeLoach said, there's no vote. Vice Chairman Thomas said, okay, you don't have to vote on —. Commissioner Price said, just go ahead and vote. The motion carried unanimously. [NOTE: Chairman Hair was not present.]

ACTION OF THE BOARD:

Commissioner Price moved to give conceptual approval of a test development review and permitting process for a period of six weeks commencing November 15, 2000, to expedite development plan review. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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3. PUBLIC HEARING TEFRA SOUTHSIDE FIRE DEPARTMENT.

Chairman Hair said, okay, we now will have a public hearing on TEFRA and I'll ask the attorney to explain the purpose of the hearing and we have the attorney for Southside here.

Ms. Melanie Marks said, I'm the counsel for Southside. County Attorney Hart said, Chief Meadows is also here for Southside Fire Department. Chairman Hair said, okay. Ms. Marks said, this is a TEFRA notice seeking approval of \$650,000 worth of lease financing for the purchase of an aerial fire truck. There is no obligation to the County. Southside is a qualified volunteer fire department and is okay under the IRS Code for tax exempt financing, and that's why we require a TEFRA hearing. Chairman Hair said, okay, thank you, Ms. Marks.

Commissioner Saussy said, if there's no obligation, I'd like to make a motion. Chairman Hair said, well, I don't think we can dispense with the public hearing. I think we have to open the public hearing. This is the public hearing.

Chairman Hair said, okay, I will now open the public hearing on TEFRA financing for the Southside Fire Department. Is anyone here that would like to speak on this issue?

Commissioner DeLoach said, I would like —, tell me what TEFRA means. Chairman Hair said, he has a question. Commissioner Price said, explain what TEFRA is and how —, why this is a public hearing. Ms. Marks said, [inaudible] a provision of the IRS Code, there are two ways that you can get approval. It's either with a public referendum or by a TEFRA hearing, and the Chairman approval. Commissioner DeLoach said, there's no doubt in my mind that T-E-F-R-A means a bunch of words. Ms. Marks said, yes, it's a part of the taxpayer's, one of those acts in 1984 or '86, I don't remember. They keep —, I think it's '86, they keep changing. Commissioner DeLoach said, tell me what it is. Ms. Marks said, I'm sorry, I don't know it off the top of my —, it's like the Technical Economic —, I don't know. I'll look it up for you, but I don't remember it.

Chairman Hair said, we'll get that for you, Eddie [DeLoach]. Commissioner DeLoach said, I'd just like to know what it was. Somebody worked hard to come up with that. Chairman Hair said, okay, hearing no one for the —. County Attorney Hart said, we'd like for the County to approve an election approval for the Chairman to sign it. Chairman Hair said, well, let's do that after we get the public hearing —. Okay, hearing no one, I declare the hearing adjourned, and now I'll entertain a motion. [Inaudible comment from a gentleman in the audience.] Chairman Hair said, no, it's a requirement.

Ms. Marks said, we advertised. Once, two weeks prior to the hearing, that's all you're required to do because it is no pledge of the County's money in any capacity. It's Southside that's clearly liable.

County Attorney Hart said, okay, we'll now entertain a motion to –, I'll have the attorney read the motion.

County Attorney Hart said, we're essentially basically asking that the County Commission, without obligation to the Commission, allow tax exempt financing to Southside Fire Department to obligate itself for \$650,000 to purchase an aerial truck for fire-fighting purposes and community purposes and fire protection. Chairman Hair said, and authorize me to sign. County Attorney Hart said, and authorize you to sign.

Commissioner Odell said, I move for approval. Commissioner Thomas said, second. Chairman Hair said, motion and second. Any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you very much, Ms. Marks. Ms. Marks said, thank you.

ACTION OF THE BOARD:

Commissioner Odell moved that the County Commission, without obligation to the Commission, allow tax exempt financing to Southside Fire Department to obligate itself for \$650,000 to purchase an aerial truck for fire-fighting purposes, community purposes, and fire protection, and to authorize Chairman Hair to sign. Commissioner Thomas seconded the motion and it carried unanimously.

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**4. REQUEST BOARD APPROVE AN AGREEMENT WITH CYPRESS NATURAL GAS COMPANY FOR PERMISSION TO SURVEY CERTAIN REMNANT PARCELS ADJACENT TO THE NORTH SIDE OF JIMMY DELOACH PARKWAY. THESE PARCELS ARE IDENTIFIED AS 17R AND 18R ON THE RIGHT-OF-WAY PLANS FOR JIMMY DELOACH PARKWAY.
[DISTRICT 7.]**

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, gentlemen, this normally would be a routine Action Calendar item. I know there has been though some concern on the Westside particularly for how much is know about the extensiveness and the –, how obtrusive this could be from the standpoint of construction on property all throughout western Chatham County. This is a request of the Board dealing with right-of-way remnants that you still control associated with Jimmy DeLoach Parkway. For your benefit, if you like, Mr. Bungard does have a new map or a most current map, I should say, showing where this large gas line will go. We're not objecting to the use of the County's parcels, but I know there has been some concern with the necessary and adequate –, adequacy of notice to affect the property owners.

Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, I request that we delay this vote on this and that we request that this group make their presence here so that we have an understanding of what's taking place. Chairman Hair asked, is your motion to table to the next meeting or to when? Commissioner DeLoach said, table it until they get –, I don't care if we table it until infinity. Until they make it up here I don't want to do anything with it.

Chairman Hair said, all right, we table this until the representative of Cypress Natural Gas comes up here before us. Do I have a second? Commissioner Murray said, yes, I'll second it. Chairman Hair is that a legal motion? Can we just table it indefinitely? Commissioner Rivers said, yes. Chairman Hair said, I'm asking the attorney, okay. County Attorney Hart said, yes. You can table it for a contingency and the contingency is appearance. Chairman Hair said, okay, a contingency. Okay, very good. I have a motion and 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 table this item until a representative of Cypress Natural Gas comes before the Commission. Commissioner Murray seconded the motion and it carried unanimously.

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**5. REQUEST BOARD CONSIDER A REQUEST FROM EMC ENGINEERING ON BEHALF OF WHITEMARSH ISLAND DEVELOPERS G.P. FOR THE COUNTY TO ACCEPT JAZIE DRIVE AND IMPROVEMENTS.
[DISTRICT 4.]**

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman and members of the Board, we're carrying this forward at the request of the engineer for the developer of a shopping center on Whitemarsh Island. The issue, I believe, is twofold. The first and the primary one is whether or not to accept a heretofore private driveway referred to as Jazie Drive, which serves as entrance and exit from this shopping center as a public street. The second issue deals with whether or not staff has incurred possibly misled the developer and/or his engineers as they proceeded to come before you. On the first issue staff is very strong in opposition to the adequacy of the test that must be met from the standpoint of service to the general taxpayer to have that taxpayer forevermore pick up the maintenance cost for a roadway that appears for all intents and purposes to serve the shopping center exclusively. On the issue of staff's performance on this though we cannot say with certainty what was said or not said or implied. You must understand that you are the only ones that make decisions on the acceptance of public roadways, and that even if Mr. Bungard and myself came forward to you with a staff report recommending acceptance and you chose not to accept, there would be no residual obligation of the County to pay for any preparatory expenses. A parallel runs almost every time you might have a land use decision which involves an awful lot of technical support and analysis by proponents and opponents that deal with attorneys, land developers, what have you. A great expense is incurred there in the event you would not rule in their favor. A precedent to reimburse, as you might be considering today, could be damaging in the long haul.

Chairman Hair said, okay. I'll recognize Commissioner Murray.

Commissioner Murray said, I want to ask the County Attorney for clarification. I've known Mr. Feiler a long time and he sent me some information, which I have read, and I think that's probably what Russ [Abolt] was addressing, some of that. My real question to this is, if we accept this, does that set a precedent that any shopping center throughout the unincorporated area could come to us and request that we take over theirs also? Does that open the door for us to do something different than what we've done in the past? County Attorney Hart said, well, as a rule, and that's the reason the County Attorney's opinion on this says it's more of a policy decision from you guys as opposed to whether you can legally accept or not accept the road. From the legal standpoint, if y'all choose today to accept that road, you have an absolute right to do that. The concern that was raised in the Engineering Department and that we also --, and the County Attorney's office that needed to come before the Board for direction was generally when we're accepting a road, it is a road that is connecting two --, having two public nexuses. In this particular case you do have a Whitemarsh Drive or Road, I'm not sure what the correct name is, it's a public access road, and then Jazie Drive is off of that, which does not continue to connect another public sector, but appears to serve as a driveway, so to speak, into that shopping center. The only difference in this thing, I think Mr. Cliff Kennedy, representing the developer, and the engineer here, has indicated and I believe he asked some --. Chairman Hair said, he's going to speak to that. I'm going to ask him to speak to that. Commissioner Murray said, I'd like to hear speak to that. County Attorney Hart said, he has indicated that in effect this Jazie --, the portion of the Jazie Drive they're asking the County to accept has, in fact, become a public thoroughfare or, for the lack of a better term, cut-through that shopping center, so it's not your traditional a hundred percent driveway, but as a matter of fact this Commission has not in the past accepted part of private roads in a development project unless they felt it did have a public purpose.

Chairman Hair said, I think it would be appropriate at this time to hear from Mr. Kennedy and let him explain, and then Mr. Feiler, let them say whatever they need to say.

Mr. Cliff Kennedy said, ladies and gentlemen of the Commission, my name is Cliff Kennedy with EMC Engineering, and I represent Whitemarsh Island Developers, which Mr. Feiler is a general partner. We also have with us today Ms. Jazie Ingram, who the street was named after. It's Ja'zie, not Jaz'ie, and she's in the audience today. We originally intended for the streets to be private in this development, as is typical with commercial real estate development. Even subdivisions of commercial real estate a lot of times the streets are private and not public. What has happened here is the property next door has been developed as a major shopping center. You have the Publix, the CVS, Wal-Mart, and these other businesses along U.S. 80. There's Applebee's, MacDonald's, Savannah Bank, a movie rental place, just a lot of businesses along there, so this part in yellow [indicating] is the part in question, and we did approach the staff back in February, I think. I don't believe we're at odds with the staff on this, we're just --, we went through the process. We always understood that you could turn us down. We just didn't realize that it would be a policy issue. What has happened is the majority of the traffic on Jazie Drive is not patronizing these businesses, it's cutting through going to these other areas, so in effect it's become a public access. The general public is using it, so rather than having these businesses pay for the maintenance on the road, we're asking that the County accept the operation and maintenance of the road. That just seems to make sense because basically, and I don't have an accurate traffic count, but probably 80% or more of the traffic on that road is going somewhere else, not patronizing those businesses.

Commissioner DeLoach asked, why was that road put in? Chairman Hair said, all right, Commissioner Murray first and then Commissioner DeLoach. Commissioner DeLoach said, I'm sorry.

Commissioner Murray said, so they will understand, where you've got all that wooded area some of that's already been developed. I'm talking about facing 80 and backs up to the drive. You've got a —, what is it, the hamburger place? Commissioner Price said, Sonic. Commissioner Murray said, Sonic and then —. Mr. Kennedy said, Sonic is here and there's a car wash here. Commissioner Murray said, a car wash. Mr. Kennedy said, this is all part of the Whitemarsh Island Development. Commissioner Murray said, another car wash and a Jiffy Lube and Barnes. Mr. Kennedy said, yes, there's a car wash here and then South Trust Bank owns this corner parcel. Commissioner Murray said, which will probably be developing that. I guess where I have a problem right now is I understand what you're saying and I understand traffic does cut through there because I go to that car wash and I go to that Jiffy Lube and I go to some of those restaurants in there, so that means I use that road to get to those, but I also use that road sometimes to get to Wal-Mart and the storage warehouse behind Wal-Mart. Mr. Kennedy said, yes sir, that's basically the issue. Commissioner Murray said, but to me that is still a private commercial development in there, and I don't think the taxpayers should have to pick up the expense on doing that when it's designed for that even though cars are using it because they're still going to those commercial areas. Mr. Kennedy said, Mr. Murray, there's a subtle but distinct difference, I think. What is happening is this area is commercial, and the people are going to that area, and a lot of them are not patronizing these businesses, they're just cutting through here because it's convenient, and we don't have a problem with that. Commissioner Murray said, and I understand that, but what I'm saying is the total development in there, whether it's Mr. Feiler's area or whether it's the part where the other group has developed the food store and everything else, or Wal-Mart or the one behind that or the banks or the other restaurants, it's still commercial and it still funnels people in for the commercial businesses. Mr. Kennedy said, yes —. Commissioner Murray said, so why should all the taxpayers of Chatham County pick up the bill to maintain that road when in fact it's there to put money in other people's pockets. Mr. Kennedy said, I think the road is there for the convenience of the taxpayers in that area. Commissioner Murray said, I understand that and I can tell you I have a lot of respect for Mr. Feiler, but I'm going to tell you I have to vote against it, so that ends my discussion on it.

Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, yes, this —, run it through this —, that yellow street we've got there, that's originally —. If I wanted to go to Barnes, can I come off of Highway 80 to go to Barnes? Commissioner Murray said, yes. Mr. Kennedy said, there are no curb cuts on Highway 80 for individual businesses. Commissioner DeLoach said, okay, so that road was put in for one purpose, it was put in so that that property would be developed, that person would sell that property and that would be his access to that business. Mr. Kennedy said, that's correct. That's why it was —, that's why it was kept private. Commissioner DeLoach said, well, I mean, I'll give you an alternative that you can do. You can take and put a barricade up there between that property and the other property, like I've seen somebody do over in Garden City, that eliminated that access. Then they can either go through that way and use that just privately —. Mr. Kennedy said, that would cause traffic —. Commissioner DeLoach said, no, no, that would be a problem —, I mean, but that's your alternative. Mr. Kennedy said, yes sir. Commissioner DeLoach said, okay, put up a barricade —. Mr. Kennedy said, I don't think anybody wants to do that. Commissioner DeLoach said, well, I'm just telling you, that's the point I'm making. It is access to those businesses there that use that, people that come out of Publix and come out of Wal-Mart and would like for them to drop by and get a hotdog and get a barbecue and all this other stuff. I just don't think, you know, I'm like Frank [Murray] on it, I understand it would be great if they took it over, but there's no way that road was not developed for any other reason but an access to that property be sold to somebody to use —. Mr. Kennedy said, you're absolutely correct, but it was not developed to be an access to these other businesses. Commissioner DeLoach said, that's not, but that's not our problem. You see, that's not the public's problem. You put the road in there and you carried it all the way over to the Wal-Mart property so it's not —, it's not the public's problem if it is a problem. I don't think it's a problem, I think it's a, you know, a benefit. Mr. Kennedy said, the question is who maintains the road. Commissioner DeLoach said, right. Mr. Kennedy said, and who uses the road. Commissioner DeLoach said, the people that use that —, I mean, the people that are located there. Mr. Kennedy said, and in our opinion, they do use this road —. Commissioner DeLoach said, right. Mr. Kennedy said, and the people that patronize their businesses use this road. Commissioner DeLoach said, right. Mr. Kennedy said, but a far greater number of people that do not patronize these businesses also use this road. Commissioner DeLoach said, I have absolutely no reason in the world to use that road other than going to those shopping centers and to those restaurants. That's the only reason that road's there. Any other reason, I will be on Highway 80 going wherever I want to go, but I don't take that road as an access to go to school, to go to this, to go to that. You go there to go shopping. That's it. I mean, you know, I feel for you if you're trying to do that, but I can't reach you, man. It's just not there because it's nothing but a commercial area, and, you know, I just can't get there.

Chairman Hair said, I'm going to make a comment then I'm going to recognize Commissioners Price, Odell and Murray. Commissioner Jackel said, and then me. Chairman Hair said, and then Commissioner Jackel. You know, I don't really have a problem with this and I'm going to tell you why. If you really think about it, all public roads are built to go to businesses, and when we widen roads, we widen roads to make it easier to develop businesses. I think the infrastructure is what we're in business to do, and there's probably not a road in Chatham County that you can have that didn't go to businesses. So to me the general principle is that I think the road has developed into something that it wasn't originally intended to be, and I think it is convenient to the public, and I think that's what we're in the business to do. Chairman Hair recognized Commissioner Price.

Commissioner Price said, the rest of the road that comes in front of Publix and goes over toward Wal-Mart, who maintains that? Mr. Kennedy said, that's all part of that shopping center and it's maintained by whatever entity they have that's in ownership. Commissioner Price said, including the road coming off the highway. County Attorney Hart said, yes.

Commissioner DeLoach said, but the shopping center maintains it. County Attorney Hart said, yes. Mr. Kennedy said, as far as I know. I'm not involved in that. Commissioner Price said, Jon [Hart], when we're talking about accepting a road and improvements thereon, we're talking about basically maintaining it with street sweeper, maintaining --, I mean, what's the cost to the County here? County Attorney Hart said, well, you're talking about maintaining it, cleaning it, you're talking --, probably the developer would continue to clean it just because they probably would want it cleaned more regularly than perhaps the County would do it, but you're talking about paving, keeping up the curbing and gutter, those type infrastructure, traffic fines, et cetera. Commissioner Price asked, but there's no significant cost just to accept? County Attorney Hart said, well, the maintenance of it, resurfacing or paving it. Commissioner Price said, if it's already paved, if it's already finished, it's a new road, what's the initial cost to the County for accepting? County Attorney Hart said, I would defer to an engineer on that.

County Engineer Bungard said, I think once the County accepts it, we accept it for all maintenance including the street sweeping, traffic control, traffic enforcement. There are certain things that have to be done immediately with the striping. When I first started questioning this, I questioned the issue of capacity. If there were a new road today, like Commissioner Odell asked me one time up here, why don't you ever recommend disapproval of a project, and I said because I don't bring them to you until they're ready for acceptance. We have checked the traffic requirements, or the MPC has, and all the other parameters of the subdivision regulations for which, you know, I'm not [inaudible], but we check them for that, but within that regulation it says we're supposed to check it for all these things. The other cost issue will be capacity. The traffic study that I looked at finally was done in 1994 with caveats in the front page that said this is an approximation. It was done for, I believe, a commercial facility which was never put there. It was changed somehow, I don't have the records of that, adding Charlotte Drive, other out parcels, and when I just looked at the general numbers, in my opinion there's going to have to be some median improvements to --, for traffic control and the widening of the road. I don't have a new traffic study on which to base that, you know, and I don't think I can recommend to you that we do it based on a 1994 study that was done knowing it was going to go through. That was a known condition. The property owners that bought into that knew that at the time.

Commissioner Price asked, is the road currently striped? County Engineer Bungard said, no. Commissioner Price said, okay. County Engineer Bungard said, there are no traffic control devices on the road at the intersection of Charlotte and Jazie. Commissioner Price asked, if they're taking care of the maintenance of the rest of the road within that shopping center, how much more expensive is it for them just to take care of that stretch of road there, or any other road you put in there? County Engineer Bungard said, I don't know. Commissioner Price said, we don't know that. Okay. The reason I was going in the direction I was going in is I understand the Chairman's point of view and I tend to agree with that, but by the same token, you know, they're already maintaining the rest of the roads in there, the rest of that shopping center, why is it such a critical issue for the County to have to accept this? I can't answer that question.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I'd like to have --, continue on Ben's [Price] question and have the Engineer answer Ben's question. Mr. Kennedy said, I'm sorry, Mr. Price. Commissioner Price said, why is it such a critical issue for the County to accept this? You're already maintaining the rest of the roads in the shopping center. Commissioner Murray said, no, they are. They own them. Commissioner DeLoach said, they own them. Commissioner Murray said, they own the rest of them. Commissioner DeLoach said, it stops right there where that barricade needs to go. Mr. Kennedy said, it stops here. Commissioner Price said, so the separate entity that owns the Publix and the --. Mr. Kennedy said, Wal-Mart and Public. Commissioner Murray said, the Beach Company [phonetic] owns the rest of it. Mr. Kennedy said, that's why we bring this request to you. Commissioner Price said, by they're --, the separate entity that owns that are maintaining their roads. Mr. Kennedy said, yes, they are, but they're patronage is using this road far more than --. Commissioner Price said, but that adds value to the properties commercially that you want to develop. If they weren't, it would be harder to get to where your properties are that you're trying to sell. That's a plus. That's not a minus in my book. Mr. Kennedy said, I don't argue with that. All I'm saying is that the general public is using this road. Commissioner Price said, well, that's what you want. Why did you build it? Why was the road put in if you didn't want that? You want access to the properties that you're trying to develop. Commissioner Odell said, I think you're arguing against your own position. If the general public is using the road generally, then it's my position that the County should assume the responsibility for that stretch of road. I understand Frank's [Murray] position, I understand Eddie's [DeLoach] position, but we're about the business of constructing roads, having business to be served. It doesn't matter to me if you all elected to do it for your own business purpose, that is your absolute right, but if we're at the point where as this road is being used to transfer individuals from location to location and the various businesses in there, I think it's something that we need to do. To our engineer, if we had to develop this road there might be some additional things that we'd like to do. I'd like to know what the cost of improvements would be if we need to do it, and the traffic control devices if we need to have them there, the striping if we need to have that, what those cost figures would be. Mr. Kennedy said, Mr. Odell --. Commissioner Odell said, I think what you're saying is that this is a public road. Mr. Kennedy said, that's basically our opinion, yes. That's why we're here today. Commissioner Odell said, even though it was built privately, and you have a vested interest --, there's always business in developing a piece of property that you own, but to me that doesn't say that we should not accept the maintenance of that road. Mr. Kennedy said, if I might add, when we first decided to make this request we went to staff and we said what do we need to do to get this road ready for the County to accept it, and they gave us a list and we went out and we did that list, and then one day back in May, I believe it was, the staff told us okay you're ready, you've met our requirements, now make your request, so we did. Commissioner Odell said, so it's your impression anything from an engineering standpoint

that needed to be done in anticipation of offering the road to be sold –, not sold, given for maintenance by the County in advance of that you all had already done that. Is that true? Mr. Kennedy said, yes sir, that's exactly –, that's exactly the way it went and, in fact, just a week or so back I wrote the County Engineer and in that communication I asked if there was anything else that we needed to do to let us know and we would take care of it. Commissioner Odell asked, is it striped? Commissioner Murray said, no, it's not. Mr. Kennedy said, there's no striping. There was none requested. Chairman Hair said, that's interesting. Commissioner Odell asked, do you have the correspondence which you received from staff which identified the items that you all needed to do in advance of offering –? Mr. Kennedy said, oh, yes sir, we have a file. We have a file of correspondence regarding that, yes. Commissioner Odell said, okay. Mr. Kennedy said, and results, testing results, construction items. Commissioner Odell said, I'd like to have that tendered to the record, and here's why, one is it seems as if the concern is that the road does not comply with –, if the County had done it; however, your position is that you had requested from the County, County tell me what we need to do, the County told you what you needed to do, you complied with that, and now we're in a position saying that you don't comply. You did what we told you to do –. Mr. Kennedy said, yes sir, we did. To my knowledge –. Commissioner Odell said, but we want to tell you more. Mr. Kennedy said, to the best of my knowledge we did everything we were asked to do. Commissioner Odell said, and we want to tell you more. Mr. Kennedy said, and then we asked if there was anything else we needed to do, but that still does not mean that you have to accept the road, and we understand that. Commissioner Odell said, oh, absolutely. Mr. Kennedy said, we still have a request before you to accept the road. Commissioner Odell said, my only position is that if we told you what was needed, it to me appears to be an unfair argument for us now to say you need more. Either we knew what you need and we told you that and put you in a position to perform those things that needed to be done; in the alternative, now we have additional items. If we have additional items, were those items that are addition because of new legislation or whatever that we couldn't have told you in advance of this? Do you see my position? Mr. Kennedy said, yes sir, I do. I think you –. Commissioner Odell said, I think we need to accept the road if the road is generally used by citizens of Chatham County, even if it's for a business purpose, and there are problems that our engineering staff believes need to be resolved, I would rather have us, the County, be in a position to make certain that the citizens that use that thoroughfare, that we are in compliance, that we need to do it when we need to do it. Mr. Kennedy said, this was our thought process back in February when we started this entire situation. Commissioner Odell said, this is not in my district but –. Commissioner Murray said, no it's not. Commissioner Odell said, I know Frank [Murray] enjoys my involvement –.

Commissioner Murray asked, how many times have you been down there through the [inaudible] to really know what's down there? Chairman Hair recognized Commissioner Murray. Commissioner Odell said, [inaudible]. Commissioner Murray said, I'm going to go up here and explain some things on the reverse side of what Mr. Kennedy has been doing. Chairman Hair said, I've got you down, but I've got three people ahead of you: Jackel, Thomas, Saussy and then you and then Eddie [DeLoach]. Commissioner Murray said, he's talking about coming to right here [indicating]. Commissioner Price said, Frank [Murray], bring the sign over here. Commissioner Murray said, the yellow part, okay. The yellow portion is what he's talking about. Does that mean –, this road comes all the way down and all the way past –, the Wal-Mart's here. It goes all the way back into to a storage warehouse. Commissioner Odell asked, who owns that other property? Commissioner Murray said, the developers. I think it's Beach Company, out of Myrtle Beach is what I understood, developed the rest of it. Now this part in here is being developed right now. Commissioner DeLoach said, they're going to take that road out. Commissioner Murray asked, does that mean that eventually we ought to take over this road too because all this is going to be in there now, just keep this in mind. It's all commercial development, office spaces and stuff like that. This road comes in. Now people coming from the other direction turn in right here or either over here [indicating] to go down and utilize some of these businesses down there. Does that need to be picked up, this entrance coming in, this entrance coming in, the rest's got road coming in. That's the other side to this, and one you get down there, how many other developments do we have in Chatham County that we'll do the same thing with? Commissioner DeLoach said, you can buy Chatham –. Commissioner Murray said, we ought to [inaudible]. If we accept it, we're going to be accepting a lot more. Commissioner Odell said, I think that we should accept it. [Unintelligible comment were made when several Commissioners began speaking at the same time.

Chairman Hair asked, Commissioner Murray, do you have anything else? Commissioner Murray said, no, I'm voting against it. Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I'm in agreement with the Chairman and Commissioner Odell. I don't understand what Eddie [DeLoach] is saying. If we maintain this as a private road and someone does put up a barricade, then we've created a safety problem with more people traveling down to Highway 80 to turn on or off. This helps alleviate some of the traffic congestion on Highway 80. [Unintelligible comments when several Commissioners began speaking at the same time.] Chairman Hair said, let's get –. Commissioner Jackel has the floor. Nobody interrupted you. Commissioner Jackel said, I just think that's a cut-through situation and we ought to maintain it. Commissioner DeLoach said, no.

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, my question has been answered. Thank you.

Chairman Hair said, okay. I hope the rest of them has been answered too, so we can get over the questions. Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy said, I'm a little bit confused here. Commissioner Murray said, I'll be glad to clarify. Commissioner Price said, flip a coin. Commissioner Saussy said, let me ask you, the road right behind it where that, I guess it's a housing development, Mapmaker I believe, is that maintained by the County? Commissioner Murray said, that's a subdivision. Commissioner Saussy said, I know, that's a subdivision. Commissioner Murray said, yes. Commissioner Saussy said, but a developer put it in, right, and he paved it, but we're maintaining it? Commissioner Murray said, yes. Chairman Hair said, right. Commissioner Saussy asked, what is the difference between a developer of home area or a developer of a business? Chairman Hair said, great question. Commissioner Price said, that's a very good question. Chairman Hair said, it's a great question. Commissioner Saussy said, tell me what the difference is, Frank [Murray]. Tell me what the difference is. Commissioner Murray said, we've always had a policy whether to accept the roads. Once they're put in as the County says they have to be put in, we come back and you vote on it at each meeting. Commissioner Saussy said, right. Commissioner Murray said, so why do you ask me a question like that? Commissioner Saussy said, because I want to know. Commissioner Murray said, because this is not individual taxpayers. There are other things on that road. Commissioner Saussy said, [inaudible] individual taxpayers. You mean the people on there don't pay taxes? Commissioner Murray said, let me tell you something, the only way that y'all can do something on this thing is if you accept every one of those roads in there. Commissioner Saussy said, well, maybe we ought to do that. [Unintelligible comments were made when several Commissioners began speaking at the same time.]

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, most of my questions have been answered, Mr. Chairman. Chairman Hair said, okay. Commissioner Rivers said, the only reservation that I have is one of the same as Frank's [Murray]. That road, and I drive it often going to Wal-Mart, that's a continuous road. There's no break in it. If we accept that, then if somebody requests it, we almost have to accept the whole thing. Commissioner Murray said, then you accept [inaudible]. Commissioner Rivers said, my reservations on that would be do we have adequate equipment and people to maintain it? Here we're starting something that, you know, we built a lot of parks and everything that we don't have adequate maintenance for now. Are we going to get into the same situation that we're in? That's the only reservation that I have about it, whether we've got the equipment and whether we can maintain the roads as they come on line. Other than that I'd gladly accept it. Chairman Hair said, Commissioner DeLoach, and then myself. Commissioner Rivers said, I'd like to get an answer. Chairman Hair said, okay. Commissioner Rivers said, [inaudible], Public Works or -. County Manager Abolt said, of course we don't. We can't maintain the roads we now have. Our LARP program is so far behind. Commissioner Thomas said, that's right.

Chairman Hair said, Commissioner DeLoach and then myself and then hopefully we'll be ready to vote.

Commissioner DeLoach said, if we take these additional roads, we'll have to do all the paving and all for those also? Commissioner Odell said, yes. Commissioner DeLoach said, if Union Camp gives us -, if Union Camp asks us -, not Union Camp, but International Paper asks us to take over Allen Boulevard, which is a thoroughfare from Westlake over to Highway 80, would we have to take that over since we're setting that policy today? Chairman Hair said, the answer's no. Commissioner DeLoach asked, why? County Attorney Hart said, you have -, this Commission can accept or not accept any road it chooses, but, and this is the but, if you go back and look at what this Commission has done over the years, in a large commercial development this Commission has not gone in and accepted roads within that development process. If you start doing that, I fully expect, as Commissioner Murray has indicated, that you will have others come forward and ask for that same thing because there is a cost factor in doing this. On the other hand, this particular piece of property by the development of the traffic pattern has developed into what they call a cut-through which makes it more a public road than what your traditional entrance into a shopping center may be. If you were to do this, you ought to make a finding that this is an exception to that case so you can avoid that issue.

Chairman Hair said, okay, I just want to -. I'm sorry, I thought you were finished.

Commissioner DeLoach asked, with that, what's going to happen to the pink area up there. Mr. Kennedy said, it's already being developed. Commissioner DeLoach asked, it is being developed? What about that road there? Mr. Kennedy said, to my knowledge the pink area is intended to remain private. The problem is the traffic on this road. Commissioner DeLoach asked, okay, and the blue? I mean, if -. Mr. Kennedy said, the blue area is storm water. This is an older photograph. There's actually a building here, a billiard building us there now, and this area has [inaudible]. Commissioner DeLoach said, okay. So -, go ahead, go ahead.

Mr. Kennedy said, let me just add, Mr. Chairman, if I may, that -, I mean, we are here because we felt like this was an appropriate thing to do and, Frank [Murray], it's certainly not going to cost any friendships if we're denied. We just -, through the course of doing business, here we are. So whatever your decision is we accept it.

Chairman Hair said, let me make two comments and then hopefully we will have answered all the questions and we can go ahead and vote on this issue if somebody will call for the question, but I'd just like to reinforce two arguments that have been and ask the people that's leaning against this to think about this. First of all, Commissioner Saussy raised the point that I think is very relevant. We sit here almost on a bi-weekly basis and accept roads in subdivisions that were paid for by private developers, and once the bond is up we accept them and they become County streets. I really think that, and I have said this repeatedly, to me infrastructure is the most important thing we do as County Commissioners. In fact, we

used to be called Road Commissioners, you know, 20 years ago, because that was the primary mission of the County Commission to provide roads. Commissioner Price said, that along with road scholars. Chairman Hair said, I don't know about road scholars, but, you know, we're the Road Commissioners, and I see absolutely no difference in us taking a road from a developer who goes out here and develops a 500-lot subdivision and us taking those roads over. If you want to think about it, forget the philosophy and just talk about economics. The taxes that those commercial properties pay are far in excess of what an individual homeowner pays, and it seems to me that just from an economic point of view it makes a lot of sense. And, secondly, and I'll close with this, I have some real concerns here that there has been correspondence going from the developer to our engineering office. They have repeatedly asked what they need to do to bring this road up to standard. Now I agree with Mr. Abolt, staff does not have the right to commit to a developer that we're going to take it, but just think about if you were a developer and you wrote letters continuously to the Engineering Department and said what do I need to do, what do I need to do, and you get correspondence back you need to do this, you need to do this, you need to do this, and you do everything, and then today get up in the well and say, well, we need to do some other things, we need to stripe it, we need traffic control devices. There's none of that in the letters that have gone back and forth from the Engineering Department. I just don't think we're being fair here, and I just think it make a lot of sense to do this. I think there is a lot of difference in that road and other roads and I would encourage people to think about that. Okay, Commissioner DeLoach and then Commissioner Murray.

Commissioner DeLoach said, I've got a question. When you originally started the road, when did we pave that road? Cliff [Kennedy]? When was this --? Mr. Kennedy said, it was 1994. Commissioner DeLoach said, when was it? Mr. Kennedy said, '94. Commissioner DeLoach said, '94, so we've had this road since '94 and we had no intentions --, did we do all this in '94 to bring it up to specs in '94? In other words, did you write --. If I was putting in a road and I had intentions or my thoughts were --, originally were to --. Mr. Kennedy said, we did not have that intention. Commissioner DeLoach asked, you had intend --, you did not have that in your mind when you first did this? It's a private road. Mr. Kennedy said, no. One day we woke up and say, my God, look at the traffic on this road, and the traffic is not for the most part patronizing these businesses, so --. Commissioner DeLoach said, well, they haven't been open that long. I mean, you know, they haven't been open that long. I mean, the road's been there a good while waiting for it to develop, but he put it in there originally private money, spending private dollars for a private road. [Inaudible.] Mr. Kennedy said, exactly. Commissioner DeLoach said, that's my point, that's my point in this. Mr. Kennedy said, we built them to public standards to --. Commissioner DeLoach said, that's my issue with this thing. It was intended to be private roads all along because you developed it based on that because you could have done the same thing as a subdivision did and come before us and said, okay, I'm going to make this a public road, I want you to accept it, and at the beginning of the whole issue you could have done that and we would have taken over those roads with no problem, regardless of it had been commercial or whatever. It's not like --. Mr. Kennedy said, we would have still had this hearing like we're having today. Commissioner DeLoach said, yes, it would have been the same thing, but we would have done that. We accept commercial properties and their roads, we accept commercial roads --, properties, we accept the roads in front of commercial properties all the time. It's not an issue, but it's a public road built to our specifications and y'all go in doing it right away. Now we --, this is completely different than what was originally intended, and is it basically that you feel like that is now a public road. My problem is I don't want to set a precedence here because I --, I mean we can move to the point of taking over just an enormous amount of real estate and cost by doing this. I mean it's just asinine to even think about doing it. I understand where we're going with it, but I --, it's just the cost that's going to be involved if we just arbitrarily take this, and I just --, everybody needs to think about that whenever we go to do this. I'd rather give the man the money it costs to do his engineering to find out what it costs to do that. I'd rather give him that money back and say, sorry, we don't want to do it, we apologize for making you feel bad and we were wrong in what we did because we led wrong --, we led you or whatever took place, hey, we're sorry, here's your money back and you keep the road, than I had to set a precedent where we're going to start after we get down the road part the way and the road starts --, going to start deteriorating and people are going to say, my God, this thing's going to cost a fortune to keep up, and then they start turning to us saying, hey, you take this over. We don't need to get into that ball game, and that's what we're getting into right now. I mean, it's --, why wouldn't we do that for Wal-Mart, or why wouldn't we do it for Publix? They're going to get in the same situation where they're going to have to spend their money to pave those roads. We pave those roads, and I just don't think --, I don't think we need to bite off that. I mean, we don't need to jump in there. If we accept it originally as a public wrong, I wouldn't have a problem with it, but this is just --, this is because somebody is realizing, hey, this thing's going to cost some money to keep up and we don't want to put this cost on each of these individual businesses out there, so what can I do, you know, long term to get out of this cost? Well, go to the taxpayers to take it over. I understand that it is a roadway and I understand the point on that. Mr. Kennedy said, let me point out, it's because --. Commissioner DeLoach said, it's because y'all ran out the road.

Mr. Ed Feiler said, let me address you a minute, gentlemen and ladies, very quickly on this. To me there's a huge distinction between the shopping center and this area and our development because the shop --, there's only one owner of the shopping center, that's the Beach Company in South Carolina. They lease the property. There are no property owners in there. There's only one taxpayer. In this development there are individual property owners, Barnes, Jiffy Lube, the car wash, Sonic, they are individual property owners, the Goodyear Tire Store, they're individual property owners, and that's what we consider to be the number one big distinction. Item number two, there is not just correspondence between the County's staff and our team, but their meetings on site which said you replace this curb, you put a handicap access sidewalk here, you clean this ditch. There was a lot of [inaudible]. We have a two page memorandum of agreement that we made with the County personnel on site. We've jumped through all those hoops. We spent over \$10,000 to comply with those requests, and that's where --, yes, we're the first to say we changed our mind because we felt like originally it was a private road, but when you see how much traffic is there, we decided to go down [inaudible] and we don't think we

made the right decision. That's why we felt --, we felt like the appropriate thing to do was to meet with the County and say what do we do so we can change our minds. Now, word of the striping issue never came up until today. We are here categorically to say there will be zero cost to the County to take this over. That's what we're prepared to do, that's what took us from the first meeting because on the second of February until today, it came to this point. We think this is a very special set of circumstances and we request that you accept the road.

Vice Chairman Thomas said, thank you very much. Commissioner Murray, Commissioner Saussy and then Commissioner Price.

Commissioner Murray said, if you will look up between the pink and the yellow and the road that's in that cleared area there, there's a group --, yes, right there. All right, right now it's getting ready to open. There's a Goodyear Tire Store, if I'm not mistaken, in there and there's going to be a facility going in there, but other facilities are taking place for that whole development and I know they're saying they don't intend to come back on that pink section and have the County take that over, but as traffic picks up in that whole area that's all developed, it's going to have just as much traffic on it. Where you've got that clump of trees down at the bottom where that yellow road ends into parking lot by the Publix store, that is Applebee's where you --, on that corner. Right there. Next to that is another development. It's a carwash, right, and then you've got Sonic, and then you've got Barnes Restaurant is the one that's showing down there. You can go down there any afternoon when Barnes is open during the peak hours and they're overflow parking on that same road. Chief Sprague, I'd like to ask you a question. When the County takes this road over, does that mean you're going to have officers stationed down there to write tickets on all those cars that aren't supposed to be legally parking there. Chief Sprague said, I'm sure we will inherit anything that comes of this if it goes to the County. Commissioner Murray said, I've been asked several questions from some of the Commissioners, and I'll try to answer them a little bit right now. One of them, the difference I see in the residential development and in a commercial development is the residential do not make profits sitting there living in their homes. Where the profit is made from most of these businesses that go in there and it is commercial and it's done that way, but the other side to this is, you know, are you saying, David [Saussy], when that Kroger gets approved out there to be built that we discussed earlier, you're going to approve for the County to go in and do all those roads and take care of that and have maintenance on them? Is that what you're saying you want to do? Commissioner Saussy said, if that's [inaudible]. Commissioner Murray said, I don't know. Is that what you're going to do? That's what you're saying you want right here. What's the difference? Tell me what the difference is on that? Commissioner Saussy said, there's only --, you've got one developer there. It's owned by one person there. Commissioner Murray said, this was only by one developer when the road was put in. He will save a lot of money [inaudible] businesses, and are you on that road that you go through Mr. Feiler, are you going to sell those buildings or are you going to lease those buildings. Will you end up not owning any of that property? Mr. Feiler said, yes sir, that's --. Commissioner Murray asked, you're going to sell all of it, is that right? Mr. Feiler said, yes sir. Commissioner Murray asked, well, why is it an issue with you then that the County take that over if you aren't even going to own it and be a part of it? I mean, they've been trying to put me on the spot because I'm opposing it, and I want the answers. I'm still going to oppose it because I don't think it's right and I think it's going to open up the County to go in the hole big time financially having to do this with every one that comes up, and I know the County Attorney said we take them on an individual basis, but I'm going to tell you that once this is done, and you're an attorney so you should know this, we go to court, we're going to lose it, and that's all that the people are going to do is take us to court and we're going to be picking up every one of them. Commissioner Price said, he would be left holding the bag otherwise. That's what he's telling all the other properties, if he doesn't --, if we don't accept this road, none of the other property owners will buy --. Commissioner Murray said, I am sorry. Commissioner Price said, I'm not arguing against you, Frank [Murray]. Commissioner Murray said, I just think he ought to have done --.

Commissioner DeLoach said, let me ask --, can I ask a question. Chairman Hair said, let's get --, Commissioner Saussy and Commissioner Price and then Commissioner DeLoach. Chairman Hair recognized Commissioner Saussy. Chairman Hair said, it's your turn, Commissioner Saussy.

Commissioner Saussy said, well, another question that I've got is how many roads out in the County --, you go all the way back to whenever the County was developed, how many roads out there were put in that we didn't maintain and were maintained by property owners that are there now, how many of those roads have we taken over and maintain now? What is the difference? Chairman Hair said, I agree. Commissioner Saussy said, I mean, there are thousands of roads out there that we've taken over. We're paying out millions of dollars to maintain those roads. Commissioner Rivers said, Mr. Chairman. Chairman Hair said, one at a time. Commissioner Saussy said, I don't see any difference. If it's public, it's public.

Chairman Hair said, Commissioner Price and then Commissioner DeLoach and then Commissioner Rivers.

Commissioner Price said, I was saying this to Frank [Murray], but the answer --, the question about what would happen if he sold all the property, my understanding that if he sold all the rest of these properties and was left with owning the road, then the owners, both of them, would have the liability and responsibility of maintaining that road. Mr. Kennedy said, the maintenance of the private roads was set up so that the property owners, once they buy them, they're responsible for maintenance of the road. Commissioner Price said, the property owners themselves are wanting to do something [inaudible]. Mr. Kennedy said, right, they formed an association and the association --. Commissioner Price said, so the association would end up maintaining the road. Mr. Kennedy said, right and then they would bill the property owners the cost of that. Commissioner Price said, okay, I would have been --. Commissioner Saussy asked, do the homeowners pay

for it? No. Commissioner Price said, yes they do in Georgetown, now whatever that matters. We pay amenities and we have to go in and maintain the roads out there, maintain some of the property out there. Commissioner Odell said, but you're in Georgetown though. Commissioner Price said, well, I'm saying that's in other areas too. It's a diverse question. Commissioner Jackel said, [inaudible] Georgetown.

Chairman Hair asked, okay, continue? Commissioner Jackel said, the residents have to maintain the roads [inaudible]. Chairman Hair said, Commissioner Price has the floor.

Commissioner Price said, I think, you know, an offer to maybe compromise so that we truly don't have any costs if we do this would be to say to petitioners you put it up completely to par with what we require, that it be –, that includes striping, that includes signage, that includes anything that is required for us not to have any initial cost going into it, if you could put it in that mode, if you could put it in that state –. Mr. Kennedy said, it was our understanding today when we came here that we had done that. Commissioner Price said, well, my question then is why is –, if County staff was telling you that, why wouldn't County staff had also said you're going to have to stripe it, you're going to have to put signs up?

Chairman Hair recognized County Manager Abolt. Chairman Hair said, that's my question.

County Manager Abolt said, there's maybe not a subtle difference, but if a person comes and asks for assistance, just as we've done in a variety of [inaudible], we want the County to accept the road, the County does tell them these are the standards you have to meet. No member of County staff can say automatically it'll be a public road. Mr. Kennedy said, I understand –. Chairman Hair said, that's not the question. County Manager Abolt said, I know, but I'm telling you, and then the issue comes about and we're asking the County Attorney what would have to be done, I mentioned striping. You would have to have signs on it, put traffic signs, no parking signs, things like that, but it is not, and the attorney said this so well, it's not fill in the blanks and here's 15 requirements and you'll become a public road. This Board, to the contrary of your discussion right now, had been very exact in not wanting to accept the public taxpayer's responsibility on roads for the very reason why you've entertained even today the issue of impact. We will certainly do it if you tell us to do it, but when a development comes forward that is private like this, when it's look at the MPC, when the staff reviews it, this is meant to be a private road, six years ago was a private road. If you choose to make it a public road, no problem, we'll make it a public road, but it's our responsibility to reinforce with you and the general public you all make the final decision.

Commissioner Price asked, could I ask the County Engineer a question? You know, they're stating, Al [Bungard], that we have given them, met with them on site, given them certain requirements in order for us to even bring it to the point of being able to accept it, and –, is that true, number one? County Engineer Bungard said, I've been sitting on my hands for a while. Commissioner Price said, all right. County Engineer Bungard said, back in February, I believe, the request was made. I don't think that was in writing and, as usual, there was coordination with my staff. Mr. Grevemberg and the staff said these are things that have to be looked at to be considered for acceptance. I believe they did those things and, yes, we did some inspections and the written correspondence that I'm aware of are those things that laid out these are the inspection deficiencies, and then there was a memo that was written in May from Russ [Abolt] to me and for reasons unknown to me, I might have been out, travel, it went directly to staff and they worked the issue. During the course, and they were intending based on the questions asked, to recommending acceptance. I don't dispute that for a second. And then –. Commissioner Price asked, who were they? County Engineer Bungard said, this happens to be Vince [Grevemberg] –. Commissioner Price said, so our –, part of our staff. County Engineer Bungard said, roger. Commissioner Price said, okay. County Engineer Bungard said, okay, and then as in any staff action in this case, they are briefing me on here's the staff action I'm working, and I start to ask more questions about the subdivision regulations and does it meet the public interest. I looked at the correspondence from, you know, EMC and it simply said, here, accept it. No reasons why, but it's my job in the interest of protecting to ask certain questions. Is staff perfect? No. I could have not asked these questions. Commissioner Price said, right. County Engineer Bungard said, okay, and it could have gotten to the point where I stand up here and I, you know, say recommend acceptance, and y'all then go ahead and say, no, absolutely not, you haven't addressed these, and we'd be in the same boat. In my opinion, the mistake that might have been made here way back when was asking the policy question first. Commissioner Price said, right. County Engineer Bungard said, okay. I make no excuses, but I'm not sure it's staff's job to always point that out. They did what they thought was right and, yes, they have incurred some monies. How much and why, I don't know. Commissioner Price said, okay. County Engineer Bungard said, but I'm here as the County Engineer saying I have asked some questions that could not be answered of the developer, okay, and, you know, the only answer in the latest memo a few days ago was we want to make our case, and their case was it's a public road. Now, again, I'm not the administrator of the subdivision regulations, but, you know, these are known processes. I cannot answer the question about what's the difference between a subdivision, accept that, these are set forth as criteria and there is precedence. I think that the MPC regulations will now have to be [inaudible] because, in effect, I don't think you're going to have any more private roads. That's my opinion, but that's a policy decision. Commissioner Price asked, when you say there's precedence, this has happened –? County Engineer Bungard said, no, no, what I'm saying is I'm, like Commissioner Saussy said, how many other roads, I don't know, but I don't think there are any that I'm aware of that were built and accepted as private, you know, later on. You know, we paved dirt roads the County maintained, they come up to standards and then we do those, but I haven't been long enough to know any precedence. I can't find any in the record, but I think there are plenty of precedents, you know, and if this becomes a precedent, almost every commercial driveway or road that's used for public access. When I started asking these harder questions, I went back to the MPC documentation in '94-'95. This was addressed in a similar situation, I understand, of what happened to Wal-Mart and the Lowe's in the City of Savannah there was issues and they were required to put on the plat, which was

approved by the MPC, subsequently endorsed by the Commission, that said we understand that it's for commercial, but we hereby agree not to restrict it, you know, to the public. So that becomes a policy decision. Commissioner Price asked, we have no idea what the traffic count is on this road? County Engineer Bungard said, no, because a study was done in '94 and it wasn't developed that way. All I saw on there was a road that comes in off the Whitemarsh Island Drive and dead ended. It wasn't shown as a cul-de-sac, it wasn't shown --, it was dead ended on that road. Since that time, there's been Charlotte Drive added and all the other access. Commissioner Price asked is there a benefit to the public's safety by being able to cut through on this road and not have to go to Highway 80 and get out on the highway and then come through the front entrance in front of Publix to the shopping center and come back in a circuitous way almost making a full loop to get to some of these properties? County Engineer Bungard said, in my opinion, no, and the traffic study that was done in '94 does not address that. Commissioner Price asked, would you look at it and just common sense, basic logic look at it and say is it better for these people coming out of that subdivision behind the shopping center to take that cut-through instead of coming out on Highway 80? County Engineer Bungard said, I don't think so. Commissioner Price said, there's less traffic on a federal highway --. County Engineer Bungard said, they come down here and they come down here and they come out here. Commissioner Price said, yes, and if they come out on that highway --, if they come out on that highway, there's much greater danger --. Commissioner Jackel said, much greater. Commissioner Price said, and much more congestion to an already very busy highway, so if they cut through that --, if they take that cut-through, it would appear to me that that's a great benefit to the general public for safety reasons. County Engineer Bungard said, well, the safety study anticipated some day putting a signal here and part of the traffic count was based on that. I think the study was flawed, but it addressed that --, it did anticipate some traffic signal though there's not going to be a signal down here. Commissioner Price asked, is there a traffic signal there? County Engineer Bungard said, no, that's the one we're designing. Hopefully, it will be out for bids, you know, in about a month or so.

Commissioner Saussy said, if they put a traffic signal at that point, then that's going to make more traffic go that way. Chairman Hair said, exactly. Commissioner Saussy asked, is that what you're saying? Commissioner Price said, that's true too. County Engineer Bungard said, no, the traffic --. Commissioner Murray said, the majority of that traffic goes the other way.

Commissioner Price said, well, the traffic coming into the shopping center --. County Engineer Bungard said, [inaudible] anyone that comes through here to go out that way. Commissioner Price said, yes. County Engineer Bungard said, I don't agree with that, that's all. Commissioner Price said, let me make a motion, okay. In the spirit of compromise, let me make a motion and if it gets a second, fine, or if it doesn't. I move that we accept the road once complete improvements have been made at the expense of the developer, including striping, any kind of signage that's required, anything that would bring it completely up to par where we need it to be, that we --, and the motion is that we accept it after that has been done.

Chairman Hair said, all right, we have a motion. Do I have a second to that motion? Commissioner Saussy said, I'll second that. Chairman Hair said, second. All right, all those in favor of that motion will vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Odell, Price and Thomas voted in favor of the motion. Commissioners Murray and DeLoach voted in opposition. The motion carried by a vote of seven to two. Chairman Hair said, the motion passes.

Commissioner Murray said, well, now that that's done and the votes are there, I want to make another comment. When we --, on Morningside Drive, when Morningside Drive was paved, there was a lot of confusion about whether we had to [inaudible] that road because there were four, as a matter of fact, there's five houses probably from the end of the pavement on out to the last house on there. Does that mean now that if they want us to come in and pave that, we will have to go in there and do it, right? County Attorney Hart asked, is that the --? Refresh my memory, Commissioner Murray, is that the area that --, the gentleman's name escapes me. He's an appraiser. That property? Commissioner DeLoach said, yes, McDonald. County Attorney Hart said, yes, Neill McDonald's property. They could request that, yes sir. They would have an absolute right to request it, but the problem that those people would have doing that is because the oak tree configuration, which my understanding is they don't want to cut the oak trees down. Commissioner Murray said, well, the other thing is I hope all of y'all remember this when these people come back and want the rest of it taken care of and the rest of the developments that come up, and they'll come out of the Special Service District tax, not the M&O.

ACTION OF THE BOARD:

Commissioner Price moved that once complete improvements have been made to Jazie Drive at the expense of the developer, including striping, any kind of signage that's required, and anything that would bring it completely up to where we need it to be, that the County accept Jazie Drive after that has been done. Commissioner Saussy seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Odell, Price and Thomas voted in favor of the motion. Commissioners Murray and DeLoach voted in opposition. The motion carried by a vote of seven to two.

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6. PUBLIC HEARING ON LOCAL LAW ENFORCEMENT BLOCK GRANT

Chairman Hair said, we will now have public hearing on the Local Law Enforcement Block Grant. State the purpose of the public hearing prior to opening the hearing.

County Manager Abolt said, just to open up, Mr. Chairman, Dr. Thomas, gentlemen. This is to make the County again eligible this year for a grant from the Federal government. It's call a Law Enforcement Block Grant. You have impaneled a Special Advisory Committee. They have made a recommendation to continue your direction in putting video equipment in our patrols, marked vehicles. By approving in effect the recommendation in this public hearing, we'll go forward with that grant and obviously we'll get closer to the tune of about 67% of our fleet will be so marked. The purpose behind the hearing is to show that anybody has -, if they wish to, could testify before you today contrary or in support of this.

Chairman Hair said, okay, I will now open the public hearing based on the comments from the County Manager on the Law Enforcement Block Grant. Is there anyone here that would like to speak to the issue? [Note: No response.] Chairman Hair said, hearing none, I will adjourn the public hearing on the Law Enforcement Block Grant. Thank you.

ACTION OF THE BOARD:

A public hearing was called on the Local Law Enforcement Block Grant, but no one responded to the call to speak.

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7. FIFTEEN (15) MINUTE PRESENTATION ON PROPOSED BIKEWAY PLAN.

Chairman Hair said, we will now have a 15-minute presentation on the proposed bikeway plan, and since we are running late, let's do keep it to 15-minutes. I mean, normally we'd let you go over a little bit, but it is running late and we've got a two o'clock groundbreaking that we need to get to so let's try to keep this to the 15-minutes.

Mr. Milton Newton said, Mr. Chairman, I'll not say anything, just introduce Mark Wilkes, our Director of Transportation Planning with the Metropolitan Planning Commission.

Mr. Mark Wilkes said, I want to thank the Commission for giving us this time to present what we feel will be the next Chatham County bikeway plan, and –. If you'll bear with me just a moment, we're trying to get our presentation started. Very good. First of all, first question, why do a bikeway plan? Some of the benefits that are –, some of the recognized benefits to bikeways include increased safety for cyclists, recreational benefits, tourism and eco-tourism, potential reduction in automobile use and traffic, and relatively low cost to improvements to existing roadways. Just to explain a little bit about our planning process here –, I'm going to try to move away from the mike –, we first of all need to differentiate between the bikeways and the greenways. The MPC undertook a joint bikeway/greenway planning process several years back and one of the steps we had to do was differentiate bikeways and greenways. The on-road bikeways are pretty clear. The off-road there was some debate because some of them were believed –, it was believed that they would occur within perhaps canal corridors. We decided that the off-road would be more efficiently analyzed as –, under the greenway portion of the plan, so what we're looking at today is the on-road bikeways. The greenway planning process is still on-going. There are, however, a limited number of off-road segments that were added to this plan strictly for the purpose in most case of connectivity to make the on-road elements function the way intended. Work tasks we undertook were to expand the existing bikeway system. I believe our last adopted plan was 1992, develop design standards, develop design treatment methodologies, prioritize the bikeways and provide reasonable cost and estimates. I believe I've already touched on some of this. We did work extensively with a citizen committee, the Bikeway/Greenway Committee, that consists of 37 members, who I believe are listed in the back of the report. The participants were selected based on their, I guess you would call it, stakeholders, their interest and expertise in bikeway and greenway development. They participated in inventories of the existing and potential bikeway corridors and helped the staff in the ranking process. In the early stages we started with the inventory of the existing facilities of which we found eight I believe it was, eight existing bikeways. We had in addition one greenway. These are the existing bikeways. I apologize for the low contrast. What is not shown on this map would be the McQueen's Island Trail, which would be the existing greenway. The existing bikeways we have include the Historic District Corridor, the East-West Corridor, down here I believe on 52nd Street, the Hunter Bikeway, we have the North-South Corridor both upon Lincoln and on Habersham, and also a Lake Mayer Corridor down here.

Mr. Wilkes said, to describe the evaluation process a little bit, once again we involved the committee members. They developed 11 evaluation criteria, including traffic volume, speed, roadway width, heavy vehicles, pavement condition, the presence of parking, the attractiveness of the corridor, the directness of the corridor for transportation purposes, delays incurred, bridge constraints and intersection conditions. The relative suitability of these was assessed based on a one to five ranking of each criterion by the committee members and those were looked at in an aggregate to determine overall appropriateness of each corridor for the bikeway plan. Just for illustration, the corridors with the highest suitability ratings included the Washington Avenue Corridor, the Robert McCorkle Bikeway out here on Wilmington Island, and the Jimmy DeLoach Parkway. The selected system based on the rankings includes over 170 miles of on-road bikeways which were identified. Updates to the previous plan include the movement of the Savannah Whitemarsh Bikeway from President Street, the addition of a spur to Skidaway Island State Park from Diamond Causeway, added segments on Chatham Parkway, the addition of Jimmy DeLoach Parkway/State Route 21 Connector, various changes and additions in the Historic District, and the response to some coordination the City has had with SCAD. The selected bikeway corridors are illustrated here and, in addition, we have a large map here if you would like to look at it after the presentation. I first want to explain about the concept of the design bicyclist, which was considered in our design treatment methodology. We have what are, according to FHWA standards, we have Group A, which are the advanced bicyclists, and Group B and C, which are beginners and children. The philosophy in general throughout the process was to evaluate the adequacy of existing corridors for first the beginner bicyclist, which was the desired standard because it's more intensive and safer, and failing that, to evaluate the suitability for the advanced bicyclist to see if they met the requirements for the more skilled bicyclists. Where a deficiency exists we determined necessary improvements to bring the corridors up to standards. First, was just to identify roads that currently meet existing –, currently meet the standards. Failing that, we identified roadways which can be retrofitted. By that we mean non-construction and improvements such as restriping, reconfiguring lanes within existing pavement to meet minimum standards, whether that be for a beginner or advanced bicyclist. If that is not possible within an existing facility, we identified roadways which at least had adequate right-of-way width to construct needed improvements and, failing all of these conditions, we identified needed right-of-way acquisition for certain facilities.

In addition, we had quite a few constraint facilities. There are certain areas, certainly in the restored district and elsewhere, where we felt that right-of-way acquisition would certainly not be a reasonable possibility to consider. We identified in addition interim treatments for corridors that could be done at a lower cost until the funding could be obtained for the more costly construction and right-of-way phases. We prepared planning level cost estimates. These were based on the 1998 data that we received from the Department of Transportation. We received advice both from the North Carolina DOT because I was familiar with their planning cost estimate methodology, and also from Chatham County Engineering to establish our methodology. Our cost estimates reflect the cost of constructing the individual bikeways as if they were

discrete projects. In cases where these can be piggybacked onto a road widening project that is being pursued, then we certainly incur some significant savings. The total cost for our recommended ultimate bikeway system came to \$51,000,000. To give you some statistics, 30% of the proposed system, which is over 51 miles, will require additional right-of-way. These will be the most costly of course. 62% of the total cost out of the \$51,000,000 were for right-of-way acquisitions; 38% of the total cost were for construction; 29% going for pavement widening and 9% going for bridge improvements and other structural costs. Over –, to give you an idea of what we are recommending, over 60% of the on-road bikeways are recommended to be paved shoulders. The total cost of these facilities would be about \$28,000,000, or just a little bit over half of the total system cost. 15% of the on-road bikeways would be the former bike lanes. Bike lanes would be extensions of the existing pavement within the curbline. As you can see here, as opposed to bike shoulders, which would be facilities without curb and gutter. The total cost would be 32% or \$16,000,000. 11% of the on-road system is proposed to be established with wide curb lanes. By that we mean a right-hand lane that is a little bit wider than normal, about 14 feet, to give the bicyclist room to operate safely adjacent to traffic. These –, the cost of these facilities amounted to \$6,000,000 or 12% of the total system. To give us a better, clearer picture of what we're looking at, we prioritized the projects into four categories. The –, first and foremost, the projects associated with road improvements, we have identified in the plan, I believe it's –, in fact, in Chapter 8, the first of the committed projects, those would be bikeway projects that are associated with road improvement projects in the next three years corresponding to the TIP that we develop in the CUTS program. The Georgia Department of Transportation has adopted a policy of implementing bikeway facilities during their projects where feasible. The second tier would be other short-range projects. That'll be Tier 2 of the TIP. Once again, we expect some significant cost savings through DOT's involvement. The third tier would be long-range projects. These would be somewhere seven years or more out, but once again they are elements of our long-range plan. We do have some reasonable expectation that as projects advance that they will have an opportunity to receive funding. The fourth tier would be the other priority projects. Once again, back in Chapter 8, I think we're talking about table 8-4, but just for the purpose of time, I'll just explain it. Those are bikeways that are, and they're laid out in the back of the plan, that are not associated with a long-range transportation project as part of our plan. So those are the ones where we need to start looking for specifically other means of funding. They're not in the pipeline.

Mr. Wilkes said, there are some well established implementation options. I think we've just covered the GDOT policy. In addition, there's a transportation enhancement program from which we have gotten some dollars on a regular basis. Transportation enhancements are established under TEA-21 and initially under ISTEA for non-traditional transportation enhancements. They have paid to restore the Tybee Island Lighthouse, they could also pay to add a bike plan. I think in the case of the U.S. 80 widening that's on-going right now, that is how those were funded. In addition, the last SPLOST referendum did designate approximately \$9,000,000 for greenways and open space, so there's a possibility that some of those funds can be accessed as well. Just some additional recommendations that come kind of at the end of the study is that we start designing bicycle friendly traffic control devices and actuators, that we start designing our drainage grates, that we establish off-road connectors to lend to the system continuity, that we place signs to identify the corridors early on, to increased motorist awareness and safety, and that we establish a Bikes-on-Bus program. Now during the course of the development of the bike plan, CAT has been working on the Bikes-on-Bus program and I'm happy to say that will be –, that will be happening very soon.

Mr. Wilkes said, that's a very, very brief nutshell of the Bikeway Plan. I'll be happy to answer any questions you may have. Once again, thank you for allowing us to –.

Chairman Hair said, thank you, Mark [Wilkes]. Commissioner Rivers and then Commissioner DeLoach.

Commissioner Rivers asked, Mark [Wilkes], what have y'all done on MLK? They're putting the widening in the center. Have y'all allocated for any bike paths on that? Mr. Wilkes asked, we don't have MLK, do we? There is a SCAD route that's going to go on Barnard Street. The City –, we've coordinated with the City to include quite a few routes downtown. A lot of them are intended to serve SCAD, but that is strictly a median project. Commissioner Rivers said, that one is developing that whole corridor, both the corridor on Montgomery and the corridor on MLK. It would seem essential being that they're doing that now while they're in the planning stage that you would look at that as being a bike path too. Mr. Wilkes said, I'm not certain. I know that they are removing parking to accommodate the median. I'm not sure if there will be sufficient space there to do that. That is something that we can check into to see what the feasibility would be. Commissioner Rivers said, it needs to be looks at. Mr. Wilkes said, we'll be happy to look at that.

Chairman Hair said, thank you. Commissioner DeLoach has a question.

Commissioner DeLoach asked, what's the priority list, where is it? Mr. Wilkes said, the priority list would be in Chapter 8, starting with about page 54. I think the tables are labeled 8-1A, 8-1B, 8-3 and 8-4. Commissioner DeLoach said, thank you.

Chairman Hair said, okay. Thank you very much, Mark [Wilkes]. We appreciate that.

ACTION OF THE BOARD:

Received as information.

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8. REMINDER OF 2:00 PM GROUND BREAKING FOR TRUMAN PARKWAY PHASE III AND "SPECIAL ADDED ATTRACTION" GROUND BREAKING FOR NEW TAG SITE ON EISENHOWER. BUS WILL LEAVE WRIGHT SQUARE COURTHOUSE AT 1:30 PM.

Chairman Hair said, just to remind the public that we have a 2:00 p.m., groundbreaking today for Truman Parkway, Phase III, which will be at the corner of Montgomery Crossroad and Varnedoe Drive, and then after that we will be breaking ground on the tag site up on Eisenhower Drive and Waters. We invite everyone to attend.

ACTION OF THE BOARD:

Received as information.

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X. ACTION CALENDAR

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

Chairman Hair asked does anybody want to pull anything off the Action Calendar? Commissioner Jackel said, I'll be brief, 7 and 8. Chairman Hair said, okay. I'll entertain a motion to approve the balance of the Action Calendar.

ACTION OF THE BOARD:

Commissioner Saussy moved that the Action Calendar be approved in its entirety with the exception of Items 7 and 8. Commissioner Price 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 MEETING ON OCTOBER 20, 2000, AS MAILED.

ACTION OF THE BOARD:

Commissioner Saussy moved to approve the minutes of the regular meeting on October 20, 2000, as mailed. Commissioner Price seconded the motion and it carried unanimously.

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD OCTOBER 12 THROUGH OCTOBER 25, 2000.

ACTION OF THE BOARD:

Commissioner Saussy moved to authorize the Finance Director to pay the claims against the County for the period October 12, 2000, through October 25, 2000, in the amount of \$4,344,140. Commissioner Price seconded the motion and it carried unanimously.

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- 3. **REQUEST BOARD APPROVE EARLY ACQUISITION AT 10501 MIDDLEGROUND ROAD OWNED BY FRANK B., ARNOLD AND MARC QUINCY FOR THE MIDDLEGROUND ROAD WIDENING PROJECT.
[DISTRICT 6.]**

ACTION OF THE BOARD:

Commissioner Saussy moved to approve the early acquisition of 10501 Middleground Road owned by Frank B. Arnold and Marc Quincy for the Middleground Road Widening Project. Commissioner Price seconded the motion and it carried unanimously.

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- 4. **REQUEST BOARD APPROVE EARLY ACQUISITION OF THE PROPERTY OWNED BY BENNIE AND ANNIE RUTH SIMMONS, 1242 WEST VICTORY DRIVE FOR THE WIDENING OF U.S. 80 (OGEECHEE ROAD) FROM I-516 (LYNES PARKWAY) TO VICTORY DRIVE.
[DISTRICT 8.]**

ACTION OF THE BOARD:

Commissioner Saussy moved to approve the early acquisition of the property owned by Bennie and Annie Ruth Simmons, 1242 West Victory Drive, for the widening of U.S.80 (Ogeechee road) from I516 (Lynes Parkway) to Victory Drive. Commissioner Price seconded the motion and it carried unanimously.

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- 5. **REQUEST BOARD AUTHORIZE A COUNTY CONTRACT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT) FOR THE PAVING OF THE REMAINING ROADWAY SYSTEM AT THE HERTY FOUNDATION, TO APPROVE ENTERING INTO AN AGREEMENT WITH THE HERTY FOUNDATION FOR REIMBURSEMENT FOR THE LOCAL MATCHING FUNDS, AND TO AUTHORIZE THE CHAIRMAN, COUNTY ATTORNEY, COUNTY CLERK AND COUNTY ENGINEER TO SIGN ALL FORMS NECESSARY TO IMPLEMENT THE CONTRACT AND AGREEMENT, AND TO AUTHORIZE A TRANSFER OF \$70,000 FROM 1985-1993 SPLOST, RESERVED FOR VARIOUS COUNTY ROADS TO HERTY FOUNDATION. (NOTE: TRANSFER IS IN AGENDA ITEM IX-1).
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Saussy moved to authorize a County contract with the Georgia Department of Transportation (GDOT) for the paving of the remaining roadway system at the Herty Foundation, to approve entering into an agreement with the Herty Foundation for reimbursement for the local matching funds, and to authorize the Chairman, County Attorney, County Clerk and County Engineer to sign all forms necessary to implement the contract and agreement, and to authorize a transfer of \$70,000 from 1985-1993 SPLOST, Reserved for Various County Roads, to Herty Foundation. Commissioner Price seconded the motion and it carried unanimously.

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- 6. **REQUEST BOARD REDUCE THE AMOUNT OF THE CASH BOND THAT WAS POSTED FOR DUTCH ISLAND PHASE 15 WHEN THE SUBDIVISION WAS APPROVED FOR RECORDING.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Saussy moved to reduce by fifty percent (50%) the amount of the \$192,800 cash bond that was posted for Dutch Island Phase 15 when the subdivision was approved for recording. Commissioner Price seconded the motion and it carried unanimously.

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7. REQUEST BOARD APPROVAL TO DESIGNATE ONE (1) AREA AS THE “DOG EXERCISE AREA” IN THE MOTHER MATILDA BEASLEY NEIGHBORHOOD PARK. [DISTRICT 2.]

ACTION OF THE BOARD:

Commissioner Saussy moved to approve a request to designate one (1) area as the “Dog Exercise Area” in the Mother Matilda Beasley Neighborhood Park. Commissioner Price seconded the motion and it carried unanimously.

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8. REQUEST BOARD APPROVAL TO EXECUTE AN AGREEMENT FOR A COASTAL INCENTIVE GRANT AWARD TO ENCOURAGE, ORGANIZE, AND PROVIDE SUPPORT FOR COMMUNITY GROUPS THAT ARE INTERESTED IN CREATING LINEAR PARKS ALONG MAJOR DRAINAGE CANALS IN CHATHAM COUNTY.

ACTION OF THE BOARD:

Commissioner Jackel moved to authorize the execution of an agreement for a Coastal Incentive Grant Award to encourage, organize, and provide support for community groups that are interested in creating linear parks along major drainage canals in Chatham County. Commissioner Thomas seconded the motion and it carried unanimously.

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9. REQUEST BOARD AUTHORIZE DISBURSEMENT OF FUNDS TO THE MIGHTY 8TH HERITAGE MUSEUM FROM THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS GRANT DESIGNATED FOR EXPANDING EXHIBITS.

ACTION OF THE BOARD:

Commissioner Saussy moved that the Board authorize disbursement of \$272,500 (75% of grant award of \$350,000) to the Mighty Eighth Heritage Museum from the Georgia Department of Community Affairs Grant designated for expanding exhibits.

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

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. First renewal to the annual contract to provide appraisals of damaged vehicle claims	Finance	Mark Services	Varies by service	Claims and Judgment
B. First renewal to the annual contract to provide concession services for the Tybee Pier	Parks and Recreation	Riptide Bait and Tackle	\$18,000 revenue	Revenue Producing
C. Annual maintenance agreement for software and software upgrades	I.C.S.	Georgia Department of Administrative Services (sole source)	\$88,249.53	General Fund/M & O - I.C.S.
D. Switches for the County’s computer network system	I.C.S.	Entré Computer Center (MBE)	\$14,802	CIP - Air National Guard Building Renovations

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
E. Declare property as unserviceable and authorize property to be disposed of by sealed bid sale or sold for scrape	Purchasing	N/A	N/A	Revenue Producing
F. Contract to provide, install and maintain a new electronic scoreboard at Memorial Stadium	Parks and Recreation	Signage Consultants, LP (sole source)	No cost to the County	Revenue Producing
G. Change Order No. 14 to the contract to perform hydraulic analysis of the Pipemakers Canal to provide additional services for permitting and staking right-of-way	SPLOST	EMC Engineering	\$18,108	•SPLOST (1998-2003) - Pipemakers Canal •CIP - Drainage
H. Change Order No. 1 to the contract for the construction of a fence at Mother Matilda Beasley Park for additional hand railings for the stairways	SPLOST	Ram Fence Company	\$1,845	SPLOST (1993-1998) - Mother Matilda Beasley Park (pending transfer)
I. Change Order No. 2 to the contract for the construction of a fence at Mother Matilda Beasley Park for additional 6-foot sections of ornamental fencing	SPLOST	Ram Fence Company	\$450	SPLOST (1993-1998) - Mother Matilda Beasley Park (pending transfer)
J. Change Order No. 3 to the contract for the construction of a fence at Mother Matilda Beasley Park to provide a four-foot opening of the chain link fence to allow pedestrian entry and repair fence section that has been pushed over to gain entry to the same section	SPLOST	Ram Fence Company	\$150	SPLOST (1993-1998) - Mother Matilda Beasley Park (pending transfer)
K. <u>Deductive</u> Change Order No. 4 to the contract for the construction of a fence at Mother Matilda Beasley Park for providing 2-1/2" railing posts (standard size) instead of 3" specified (special order) railing posts	SPLOST	Ram Fence Company	(\$1,380)	SPLOST (1993-1998) - Mother Matilda Beasley Park
L. Contract for the Fawcett Canal drainage improvements	SPLOST	Arco, Inc.	\$863,374.50	SPLOST (1998-2003) - Fawcett Canal Drainage Improvements
M. Contract for the construction of Truman Linear Trail - Phase 1A	SPLOST	Stephen Kangerter Builders	\$197,216.74	SPLOST (1993-1998) - Truman Linear Park
N. Contract for the asbestos abatement of three (3) County obtained buildings on Highway 17	SPLOST	McGowan Asbestos Abatement	\$3,850	SPLOST (1985-1993) - Ogeechee Road; Abercorn Extension - Dean Forest Road
O. Annual contract with option to automatically renew for two additional one-year terms to provide for the administration of the County's Flexible Benefits Program	Human Resources	AmeriFlex, Inc.	\$4.35 per employee per month	Internal Services Group Health Insurance Fund
P. Annual contract with option to renew for two additional one year terms for lawn care service	•Library •Tax Commissioner •Administrative Annex/Police Headquarters	Ole South Lawn Service of Savannah	\$14,400	•General Fund/M & O - Library •General Fund/M & O - Tax Commissioner •General Fund/M & O - Building Maintenance and Operations

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Q. Annual contract with option to renew for two additional one-year terms for janitorial service	Building Maintenance and Operations	Quality Cleaning Contractors of Savannah	\$53,475	General Fund/M & O - Building Maintenance and Operations
R. Annual contract with option to renew for two additional one-year terms for pest control services	Building Maintenance and Operations	Ideal Pest Control	\$17,620	•General Fund/M & O - Various •SSD - Various
S. Final renewal option to the annual contract to provide service uniform shirts, trousers and civilian clothing and to recognize a manufacturer imposed price increase and terminate the contract to provide jackets to the County Police	•Sheriff •Detention Center	•Uniforms by Patrick •Frank's Uniforms Terminate with •West Chatham Warning Devices	Varies by item	•General Fund/M & O - Sheriff •General Fund/M & O - Detention Center
T. Final renewal option to the annual contract for uniform and uniform accessory items and to recognize manufacturer imposed price increases on selected items	•Sheriff •Detention Center •Police	•Uniforms by Patrick •Frank's Uniforms •West Chatham Warning Devices •Fund Mon Express d/b/a L& M Promotions	Varies by item	•General Fund/M & O - Sheriff •General Fund/M & O - Detention Center •SSD - Police

ACTION OF THE BOARD:

Commissioner Saussy moved to approve Items 10-A through 10-T. 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.

None.

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XII. SECOND READINGS

None.

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XIII. INFORMATION CALENDAR

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

ACTION OF THE BOARD:

Report received as information.

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

ACTION OF THE BOARD:

Report received as information.

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- 3. **CONSOLIDATION OF CITY AND COUNTY INSPECTIONS DEPARTMENTS - STATUS REPORT.**

ACTION OF THE BOARD:

Report received as information.

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- 4. **AN UPDATE ON MOTHER MATILDA BEASLEY NEIGHBORHOOD PARK.**

ACTION OF THE BOARD:

Report received as information.

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- 5. **TO PRESENT TO THE BOARD INTERIM FINANCIAL STATEMENTS FOR THE FISCAL YEAR 2001 FIRST QUARTER REPORT AND A BUDGETARY REVIEW.**

ACTION OF THE BOARD:

Written report received as information.

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- 6. **ROAD AND DRAINAGE REPORTS.**

ACTION OF THE BOARD:

Written report received as information.

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7. STATUS REPORT ON SOLICITATION FOR DETENTION CENTER HEALTH CARE.**ACTION OF THE BOARD:**

Written report received as information.

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EXECUTIVE SESSION

Upon motion made by Commissioner Thomas, seconded by Commissioner DeLoach and unanimously approved, the Board recessed at 12:23 p.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 12:38 p.m.

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ITEMS FROM EXECUTIVE SESSION**1. REQUEST BOARD APPROVE SETTLEMENT OF CHATHAM COUNTY V. 2.33 ACRES OF LAND; SANDRA D. BRYANT, ET AL, CIVIL ACTION NO. CV94-03262-KA (JON HART).****ACTION OF THE BOARD:**

Commissioner DeLoach moved to authorize settlement of *Chatham County v. 2.33 Acres of Land; Sandra D. Bryant, et al*, Civil Action No. CV94-03262-KA, in the amount of \$45,000. Commissioner Odell seconded the motion and it carried unanimously.

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

Commissioner DeLoach moved to authorize the Chairman to execute an affidavit that the Executive Session was held in compliance with the Open Meetings Law. Commissioner Thomas seconded the motion and it carried unanimously.

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APPOINTMENTS**1. CHATHAM COUNTY HOSPITAL AUTHORITY****ACTION OF THE BOARD:**

Commissioner Price moved to appoint Dr. David B. Byck to the Chatham County Hospital Authority to fill the vacancy created by the expiration of the term of Dr. Walker Beeson, which term will expire October 24, 2006. Commissioner DeLoach seconded the motion and it carried unanimously.

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ADJOURNMENT

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 12:40 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