

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, NOVEMBER 17, 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

Vice Chairman Thomas called the meeting to order at 9:05 a.m., Friday, November 17, 2000.

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II. INVOCATION

Commissioner Saussy introduced Father Robert Carter, Canon of the Ordinary of the Episcopal Church Diocese of Georgia, who 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. 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
Eddie W. DeLoach, District Seven

ABSENT: Dr. Billy B. Hair, Chairman
Ben Price, District Six

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

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YOUTH COMMISSIONERS

Vice Chairman Thomas said, we'd like to welcome the Chatham County Youth Commissioners in attendance today, and they are Mr. Eric Brown, who's a 12th Grader at Benedictine Military School. He's representing the Martin Luther King Observance Day Committee; Hannah Carter, an 11th Grader from Calvary Baptist School; and Kelie Connor, an 11th Grader from St. Vincent's Academy. We'd like to take this opportunity this welcome each of you and we want you to just fall right in. If you have a question that you would like to ask, please raise your hands and I will definitely recognize you so that you may express yourselves. Thank you very much.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

None.

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VI. CHAIRMAN'S ITEMS

1. REQUEST FROM TEAM SAVANNAH FOR \$5,000, HOWARD COHEN.

Mr. Michael Cohen said, thank you very much. We had a very unusual thing happen to us a few months ago. We had athletes qualify for the Olympics for Chatham County, the City of Savannah. I said, it's unusual because we haven't had that in 20 years; 20 years ago we had it with one athlete, myself, and unfortunately we had a boycott that year so we never had an athlete actually go to the Olympics. One of the things that happens when you have athletes that are qualified for the Olympics is that the family members of the athletes scrape and borrow and beg to get everything they can together to try to join their athletes, their family members overseas at the Olympics. I was asked by the Board of Directors of Team Savannah to approach both the City and the County to ask for help in securing funds for the families of the athletes through a contract program that is being done all over the United States, and that is that when the athletes get back home, the athletes will travel to recreational facilities that are targeted through Jim Golden's office and through Barry Baker's office with the City to give talks to the young people about their endeavors to make the Olympic team, what it takes to make the Olympics and what it takes to set a goal and to strive for it. We asked both the City and the County for matching funds of \$5,000 apiece. Two weeks ago the City presented us with a check for \$5,000, and the athletes have already started their routine traveling to different recreational facilities and to the schools. We'd like to request the same type of consideration from the Chatham County Commission.

Commissioner DeLoach said, I move for approval. Commissioner Saussy said, second. Vice Chairman Thomas asked, any discussion? Commissioner Jackel said, I just want to make a comment. Vice Chairman Thomas recognized Commissioner Jackel.

Commissioner Jackel said, I've told you personally I'm just thrilled by what y'all accomplished over there. I just think it's a great example for the youth in our community. I particularly liked what you had to say about setting a goal and then taking what it --, the steps necessary to accomplish that goal. I think that is most important. My favorite teacher in high school was a lady I'll never forget, Mattie Sue Walker [phonetic], and she taught history, and she always said, how are you going to get there if you don't know where you're going. Figure out where you want to go and then make plans --, make a plan so you can get there, and I heard you say that word, set that goal, and our people need to learn that and understand that, and I think y'all are setting a wonderful example for that, and I'd like to second that motion.

Vice Chairman Thomas said, we have Commissioner Odell, Commissioner Rivers and then Commissioner Murray.

Commissioner Odell said, Russ [Abolt], just a point of clarification. Where would the funding --? County Manager Abolt said, it would come from the Special Service District Contingency and you would need a contract, it's not a gift. There would have to be a specific program that's offered by Team Savannah and in return then the contract would reimburse for a certain number of appearances. Commissioner Odell said, just quick numbers, where would that us as far as the balance? County Manager Abolt said, we'd have about a hundred thousand dollars left in SSD Contingency.

Commissioner Murray said, I'm glad you're concerned about that budget. Commissioner Odell said, I have people in the Special Service District. Commissioner Murray said, good. County Manager Abolt said, I am going to have to come to you in another two weeks for a draw down on SSD Contingency affecting drainage, but certainly you can afford this if you choose to pursue it.

Vice Chairman Thomas recognized Commissioner Rivers.

Commissioner Rivers said, my question has been answered. Vice Chairman Thomas said, thank you. Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray said, one of my questions was just answered because I was concerned about where it was coming from, and in the past I have opposed anything taking monies out of that this far --, this close to the first of the year, but based on the circumstances of this and that it will be a program that y'all will be running and it will be under a contract for service, I would support it. I also commend you and the weightlifting team for their accomplishments. We look for much more of that in the future, and I certainly believe that in the next Olympics that we will see much more --. Mr. Cohen said, oh, yes. Commissioner Murray said, and a lot of progress from that. Y'all have come an awful long way in a short period of time, and that's --, I think it has to do with the coaching staff, yourself, and the facilities out there and what's going on in this

community and the support from the community. Mr. Cohen said, well, I appreciate that. Commissioner Murray said, and I'd just like to thank you and commend y'all for the job you're doing with it.

Mr. Cohen said, I'd like to add, if I could, just one bit of information for you. We received information just the other day that one of our athletes has been named by the National Organization of Women as the 2000 Woman of Courage of the year for 2000. She represented this honor at the meeting in Philadelphia by the National Organization of Women, June 29th through July 1st. That's Cheryl Hayworth.

Commissioner Murray said, great. Vice Chairman Thomas said, wonderful. That's wonderful. We're very proud of Team Savannah. Commissioner DeLoach said, I call for a vote.

Vice Chairman Thomas said, okay, the question has been called for. All in favor of this motion of providing \$5,000 for Team Savannah, please register your vote. Opposing? The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.] Vice Chairman Thomas said, that seems to be unanimous. Thank you.

ACTION OF THE BOARD:

Commissioner DeLoach moved that the County enter into a contract with Team Savannah in the amount of \$5,000 from Special Service District Contingency. Commissioners Saussy and Jackel seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

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Vice Chairman Thomas said, I'd like to recognize --, I just, my eyes just glanced out into the audience, and I would like to recognize Commissioner-Elect Jeff Rayno with us this morning. Okay. We're glad to have you.

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VII. COMMISSIONERS' ITEMS

1. KEVIN FRANCIS REGARDING PARKING OF TRUCK AT HIS HOME IN NOTTINGHAM (COMMISSIONER JACKEL).

Commissioner Jackel said, Kevin Francis called me up about a problem he was having. He's a --, drives a semi-truck and he brings his, I guess, the trailer part into his neighborhood and parks it. At the same time I've gotten several calls from his neighbors complaining about the truck in the neighborhood. Those complaints came in first, and that item has been handled by Recorder's Court. I've told Mr. Francis that --, that I thought the neighborhood should not have these trucks in there, but I wanted to give him an opportunity to speak to the Commission to present his side of the story and see what --, if there was any compromise that we could come up with; however, I do not see him in the audience so I guess he's no longer interested in pursuing this, but I just wanted to give him the opportunity.

Vice Chairman Thomas said, okay. Thank you very much.

ACTION OF THE BOARD:

Mr. Francis failed to appear; therefore, this item was removed from the agenda.

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VIII. TABLED/POSTPONED ITEMS

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

- 1. 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. Tabled at meeting of November 3, 2000, until representatives of Cypress Natural Gas are present.
[DISTRICT 7.]**

Vice Chairman Thomas asked, are they here? Do we need a motion to untable? County Manager Abolt said, yes. Commissioner DeLoach said, I've got a motion to untable. Commissioner Murray said, second. Vice Chairman Thomas said, okay. All in favor of the motion please vote. The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.] Vice Chairman Thomas said, okay, the motion is carried. Please identify yourself and you may proceed.

Mr. David Weaver said, good morning, Commissioners. My name is David Weaver. I'm with Southern Natural Gas Company out of Birmingham, Alabama. We own a company that is planning the development of the Cypress Natural Gas Pipeline from Chatham County down to Clay County, Florida. On your desk I've laid a maroon folder that has a map showing our proposed route for Chatham County and a fact sheet which is similar to the information that I've been sending to the Commission and that we've sent to property owners throughout the Summer as we've gone through our planning process. Let me give you a little bit of background. First, let me apologize for not being here on November 3rd. We had a miscommunication internally and I was not aware that the issue had been presented to the Commission, so that was my oversight and thank you for giving me a chance to be here today. We also own the Elba Island Liquefied Natural Gas Terminal, which is located just south of this City in the Savannah River, and recently we announced plans –, last year, in fact, we announced plans to reactivate that terminal after having it in mothballs since 1983. This natural gas pipeline, the Cypress Natural Gas Pipeline that's before the Commission today is an outgrowth of the reactivation of that terminal. We hope to start bringing ships containing liquefied natural gas into our terminal beginning in the Spring of 2002, and we have pipelines connected to the Island already capable of getting the natural gas, once it's vaporized, back into our regular pipeline system throughout the Southeast; however, there is no direct market link for Coastal Georgia down into the panhandle of Florida. So this pipeline is providing a new market outlet for the natural gas that would be brought into Savannah to not only provide opportunity for growth along the –, each of the counties in Coastal Georgia, but also to supply fuel for expected growth in new electric power facilities in South Georgia and Florida. Our plans are to construct a 24-inch diameter pipeline, which will run approximately 160 miles from our existing Port Wentworth facility here in the County to a new point of inter-connection with an existing natural gas pipeline in Clay County, Florida. Along the way we will provide inter-connection with Atlanta Gas Light Company here in Chatham County, also in the Brunswick area, and potentially down in the Charlton County area. We'll also connect with Peoples' Gas, hopefully, in the Jacksonville, Florida, area and with Florida Gas Transmission Company, which is in existence down near Clay County. We'll be transporting approximately 310 million cubic feet of natural gas every day coming from Elba Island. Just to put that in prospective, at the point of inter-connect in Brunswick, where we're presently providing service to Atlanta Gas Light Company, that will more than triple the amount of natural gas that's available in that area on a daily basis. As I mentioned before, the natural gas will be liquefied natural gas that's being imported from Trinidad. We have a contract with the supplier for 22 years beginning in 2002 to bring that liquefied natural gas into our Elba Island facility, and then we will vaporize it by essentially having the liquid natural gas go through a warm water bath process to [inaudible] natural gas conditions, and then inject it into the pipeline. The process that we're under now is that we're trying to identify a route that is acceptable from an environmental impact as well as an impact on property owners and existing development. Our intention is to finalize our preliminary plans in order to make an application at the Federal Energy Regulatory Commission on January 31st of next year. That is the federal agency that must review and approve our plans for the pipeline. At that time we will start approximately an 18 to 24-month process to determine whether there's a need for the pipeline, as well as whether there –, the route that we've chosen meets all the relevant environmental and construction standards that are required under federal and state law. If everything works according to the schedule, we hope to follow –, the pipeline construction would start in the Summer of 2002 and the pipeline would be in service by the Summer of 2003. We've been in contact with property owners in each County. We have received survey permission from approximately 95% of all the property owners along our proposed route, along the 160-mile proposed route, and approximately 90 to 95% of the property owners in Chatham County have also granted survey permission as well, and we're continuing to talk with and work with property owners that have yet to give us survey permission. As I understand it, the County in going through the DeLoach Parkway construction acquired title to several tracts of land. The parcels that are before you today are on the north side of the DeLoach Parkway at a midpoint. I believe I have a County tax map here, this is a little bit hard to see –, flip a page.

County Manager Abolt said, we have a larger map here. Vice Chairman Thomas said, okay. By my estimation it's approximately in this area right here. It's three parcels immediately adjoining the new Parkway and the request that the company had made through your Engineering Department simply for permission to survey to determine whether that tract of land was suitable for a proposed pipeline. I'll stop at that point and answer any questions.

Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray said, one of my questions right now, is this pipeline going to be above or below ground? Mr. Weaver said, it will be entirely belowground. In normal –, excuse me. In normal conditions it has three to five feet of ground

cover between the top of the pipe and the original surface. In areas where we're going under a roadway or whether we're going through developed areas or areas of potential development we can bury it deeper. Commissioner Murray said, I guess the other question I have is the way it routes all the way around and comes back in, why wouldn't it go just parallel to I-95? Mr. Weaver said, we wish we could. There's a great deal of congestion along the I-95 corridor from the end of the Department of Transportation right-of-way and --, we need, we need 50 feet essentially for a permanent right-of-way and we need up to about 90 feet for a temporary construction space while we're building it, and many of the pockets going through there, there's not sufficient space to construct a pipeline and we would be --, at every interchange we would have to be routing around existing development and likely future development, so it's a question of finding not only an environmentally benign route, but a route that disrupts as much existing development as possible.

Vice Chairman Thomas said, Commissioner DeLoach and then Hannah [Carter]. He's yielded to you, Hannah [Carter].

Youth Commissioner Carter asked, why exactly do you need this pipeline? Mr. Weaver asked, why do --, the question is why do we need the pipeline? Youth Commissioner Carter said, yes sir. Mr. Weaver said, well, as in any public service project, this is a pipeline that would benefit hundreds of thousands of people and will impact dozens and potentially hundreds of people with no direct benefit. We're not trying to tell the landowners that we're crossing that there's any direct benefit to them, but we will compensate them for the use of their land for putting the pipeline on their property, but in every instance we will only --, we will provide connections not to homeowners so to speak, like Atlanta Gas Light does, but we will provide service to Atlanta Gas Light Company. So it increases their ability to get more gas to industry, both existing industry and potential new industry, and hopefully that could be used as an economic development tool, but it will also be used to offset coal-fired electric plants. Every electric plant that's along the route or every industry that's along the route that uses coal to generate electricity or to generate heat in their facility can replace that coal with natural gas, which is a much cleaner burning fuel and will reduce pollution. So there are some community benefits to it even though the pipeline itself is not going to provide an immediate direct benefit to everyone.

Vice Chairman Thomas asked, Commissioner Brown, do you want to speak?

Youth Commissioner Brown asked, what type of endangerment would this [inaudible] like to wildlife or --? Mr. Weaver asked, the pipeline itself? Well, I guess the short answer is there would really be done. During the construction process, actually prior to the construction process we send teams of environmental scientists along our proposed route to determine whether they're endangering plants or endangering animals or any other type of significant wildlife on our proposed route that could be impacted during construction. If we find those and we can't come up with a process to relocate, for instance, gopher tortoises burrow and if we can't relocate a gopher tortoise burrow, it's our obligation to move our route. Once the pipeline's constructed, it will be completely underground and the modern steel technology and the modern welding technology should keep the pipeline as safe as the pipeline has been. We've actually had a pipeline in Chatham County since the early 50's providing natural gas service to Atlanta Gas Light Company, so this is not a new type of facility that's --, for the County, it's just a new project. Did that answer your question on the --? Youth Commissioner Brown said, yes.

Vice Chairman Thomas recognized Commissioner DeLoach.

Commissioner DeLoach said, my biggest concern for, and the reason I held it up the last time is the fact that all this took place without any participation or any contact to the --, as far as the County was concerned. That was the biggest problem. We found it about it when you were contacting the homeowners and telling them you were coming through the property. Now I'm just curious, how does the process work where the County where the place is --, where it's located and where the facility is going to take place, the building's going to take place, how does it go --, how are you able to go in and do what you've done without contacting the local officials? Mr. Weaver said, well, we actually have attempted to contact. We've --, I've sent two different letters to the County Commission and to the City officials as early as June of this year that had representations of this map as well as our fact sheet and --. Commissioner DeLoach said, let me go back. Let's back up a little bit then. Mr. Weaver said, yes sir. Commissioner DeLoach said, June of this year you were also contacting the homeowners. Mr. Weaver said, right. Commissioner DeLoach asked, how do you go about contacting the homeowners before you contacted the jurisdiction, of the County --, I mean, how do you contact them before you contact the people who actually are responsible for the safety and welfare of the citizens? Mr. Weaver said, well, actually we contacted or it was our attempt to contact everyone simultaneously. What we do is attempt to get as straight a line as we can from where we know --, where we want the pipeline to start and where we want the pipeline to end. At the point we do that we don't know who the property owners are. It's just --, we use maps and we use other publicly available resources to try to find a route. Commissioner DeLoach asked, well, you do know where the Chatham County lines are though, don't you? Mr. Weaver said, yes sir, and --. Commissioner DeLoach said, okay. Wouldn't that be pretty easy to contact the people who are in Chatham County to start the thing? Mr. Weaver said, yes sir, and I believe we did make some attempts to --. Commissioner DeLoach said, no, you didn't. No, no. Y'all did not. That's why I --. Mr. Weaver said, I apologize. It's my responsibility to that and I obviously didn't do it in a satisfactory --. Commissioner DeLoach said, no, y'all didn't do it at all. I contacted Jack Kingston's office, I had to send a letter to them saying what, you know, what's going on here? I mean, did y'all have a federal permit that allowed y'all to just skip over the counties and municipalities in this thing? Mr. Weaver said, no sir, we have no federal permit. We have permission to do nothing, that's why we're contacting the property owners to get their permission to do everything we're doing. We're not doing anything without anyone's permission that has a right to give us access to their property. Commissioner DeLoach asked, but there was no need to contact the local officials? Mr. Weaver said, well, I obviously failed in my efforts to contact the local officials, but if you're asking whether there's a --. Commissioner DeLoach said, I mean, when I've got, when I've got people calling me asking me what's going on and I don't have a clue, that rubs me the wrong way, and --. Mr. Weaver said, that's my responsibility and I apologize that you were

put in that position. Commissioner DeLoach asked, did you contact any of the —, the County Manager or —, did you contact anybody as far as the County? I can't speak for the cities because I'm not involved in them, but I've also heard from city officials that we don't know anything about it either, i.e., Pooler, Bloomingdale, any of those folks before this took place. Did you contact any municipalities before you started with the homeowners? Mr. Weaver said, we contacted each of the municipalities and the counties that we could identify, including Chatham County, by mail back in June when we contacted the landowners initially, so everyone was sent information at the same time based on the information that we had. The individuals in Bloomingdale were contacted approximately two months ago for the first time because we had a reroute of the line based on our preliminary investigation, and that was our first understanding, or at least my first understanding, that the proposed reroute was going to go through the City of Bloomingdale. So, no, the City of Bloomingdale officials weren't contacted in June, they were contacted about 60 days ago when we determined that our proposed route was going to go in that direction. Commissioner DeLoach said, okay.

Vice Chairman Thomas recognized Commissioner Rivers.

Commissioner Rivers said, I understand that you are coming down the Jimmy DeLoach right-of-way. Mr. Weaver said, just adjacent to the right-of-way, yes sir. Commissioner Rivers said, adjacent to it. Mr. Weaver said, if that turns out to be our final route. Commissioner Rivers said, okay. Is that right-of-way, does that land belong to Chatham County or —? County Manager Abolt said, that's the issue before you right now, Commissioner Rivers. It's remnant parcels, they would have your call on that. Unfortunately, you have no permitting authority on this. The issue is brought to you on a minor count, namely the property over which you have control as right-of-way, they're now asking to go across. Unfortunately, that's the only action you can take on this, but you should take it. Commissioner Rivers said, let me ask you one other question. As you are accessing the property of private citizens to cross for that access, what —, are you buying outright or are you paying a leasing fee or what's your procedure? Mr. Weaver said, we acquire an easement across the property and for the rights of the particular pipeline so it's —. Commissioner Rivers asked, what's the compensation? Mr. Weaver said, we work with local appraisers to determine the land values in the area and compensation is usually based on the fair market value of the property in the County, in that particular section of the County, and through negotiations we usually make our first offers at ten percent or so above fair market value. Commissioner Rivers asked, so, Russ [Abolt], we'll be getting into a lease or a purchase of those remnants of right-of-way? County Manager Abolt said, I defer to the County Engineer, who has been negotiating with the County Engineer and involving with the County Attorney, but obviously the taxpayer should not subsidize this, so whatever's right for the private citizens, the taxpayers should receive. Commissioner Rivers said, that's one of my biggest concerns. Mr. Weaver said, if we would make a payment, if the County was the titled owner to the property and the final route did cross your property, we would make a payment upfront before any construction was started to the County for that fair market value of the land used.

Vice Chairman Thomas said, okay, Commissioner DeLoach and then —, oh, I'm sorry.

Commissioner Rivers said, let me ask —, Al [Bungard], don't we have that —, in that we have bought the right-of-way, don't we have —, didn't we have —, did we buy that right-of-way out there or that was already —? County Engineer Bungard said, those are remnants of entire parcels that we acquired fee simple for the Truman —, for the Jimmy DeLoach Parkway, so yes we own those remnants. They're rather small, less than an acre I believe. But all —, the only thing before you today is permission to go through the —. Commissioner Rivers said, I understand that but I want to look at all the ramifications of what compensation the County will receive out of this and it may or may not be feasible for them to go that route, so I understand that.

Commissioner DeLoach said, my biggest concern with the —, and the fact that it wasn't brought for us earlier, my biggest concern with this is that's a developmental road that we've set out there. We've spent millions of dollars to develop that property out there. Now if we run a gas line right along the side of the Jimmy DeLoach Parkway, we're basically eliminating our ability to develop that property the way we wanted to develop it originally because of that land with the easement we've taken out, we'll have a gas line there, and not many folks are going to locate on a gas line or near a gas line, so what we've done is basically put a —, millions, millions of dollars out there to develop a road and then we're going to come in here right along side of it and ruin this Godley area and all this area. We're taking out an ability to develop this property. That's my concern. It doesn't look like anything now, you know. It's easy to go in there and develop it and, you know, and everybody say well that's great because it's not a bunch of woods, but we spent money out there for the future, and that future is the development of that area, and we're not going to develop that area if we've got pipelines setting in the middle of it, and that's my big concern. The same way in the Bush Road area. We actually, we're actually eliminating, if you look down through the map, you're eliminating property that has not been developed yet, but the long term future, 15, 100 years out from now, this property is going to be held up from development based on a pipeline that will service somebody today. Now that's the problem I've got with this thing, and I want to make sure that long term we're not cutting our own nose off right here by offering the ability of these folks coming here and put this pipeline where they feel like it ought to go. We should determine where this pipeline should go, not where they think it ought to go. Now if it, if it's going to impact Godley Station, like this is doing here, and the airport area, Pooler area, Bloomingdale area, Jimmy DeLoach Parkway area, we've got a big stake in this thing, and it's not the cost of the little bit of parcel of land we've got there, it's the future development of West Chatham and Chatham County. That is my concern and that is what rubbed me so bad when y'all didn't contact us ahead of time because I could have told you, hey, man, I don't think you need to go down Jimmy DeLoach Parkway because we've got thousands of acres out there that we've spent millions of dollars to develop a road out there. I could have saved you a lot of time if I'd had five votes up here. So my problem is this is not a good route based on —, from me looking at what I'm seeing here and what we've spent out there to develop this area. It's not a good route. Furthermore, the initial idea on this pipeline was to service Florida. I see no need for me to go north of Savannah whenever the actual

pumping station is located south of Savannah. Why am I going north around every area that we've got to develop out here, we're going completely around them, we're going through the middle of it to get you a pipeline back over here to Port Wentworth. Now there's a -, there's more to it than what we've got here. Now you want to service some gas lines in here for these future electrical plants that's coming here, I understand that and I don't have a problem with it, but my problem is you have gone right down the middle of our future development, and that's not going to work, and I won't be here to deal with it, but y'all will be here and y'all need to make sure that you look long term on what's happening out there because this is a long term impact on Chatham County. The growth of Chatham County in the next 20 or 30 years is out here, and if we put a pipeline where this is going to be located, we're actually eliminating thousands of acres. So just watch it. You know, just watch it. That's all I'm giving you.

Vice Chairman Thomas said, okay, Youth Commissioner Connor and then Commissioner Murray.

Youth Commissioner Connor said, okay, this [inaudible]. Could you tell me what actually led you or your organization to decide on the project? What actually made you decide that we need a -, we needed a pipeline? Mr. Weaver asked, did you hear the question? Commissioner DeLoach said, no. Commissioner Murray asked, is there any way that y'all can get a microphone for them over here? Mr. Weaver said, she was asking what led us initially to determine from our standpoint that there was a need for the pipeline. Back in the -, let me give you a little bit of history. Back in the mid-70's there were forecasts that domestically produced natural gas was going to run out within the next 30 or 40 years, and the industry began looking to find international sources of natural gas, and that was why we constructed the terminal, which is on the Savannah River, south of Talmadge, we all the Elba Island LNG Terminal. We began importing liquified natural gas from Algeria for a period of three or four years and then the Algerians cut off that supply, and so that facility has been sitting idle but ready to be brought back into service since 1983. Looking ahead, the growth for demand in electricity in Florida, but also in the Southeast, is projected to grow dramatically. Environmental concerns are not going to allow that additional demand to be met in sources by burning more coal to meet that electric demand. Natural gas is going to be the fuel to generate that electricity. All of the pipelines that serve this part of the country are full. The customers that are transporting gas through those pipelines are using all the capacity in those pipelines so new-. I'm sorry. Any new demand for natural gas would have to be met by building new pipelines to get that demand, and so we were faced with the option of starting in Florida or in Southeast Georgia and building all the way back to Louisiana and Texas to get more gas or reactivating the Elba Island Terminal and then running that pipeline south from Chatham County along the coast into Florida. So that is why -, and the reason we decided that was because it was a cheaper alternative. We could get more gas into more people's hands at a lower cost by starting in the Savannah area rather than going back to Texas or Louisiana and expand it.

Vice Chairman Thomas said, Commissioner Jackel and Commissioner -, Odell, did you want to speak? I believe Commissioner Murray was next, right? Commissioner Murray said, it really doesn't matter. Vice Chairman Thomas said, it doesn't matter -, well, we'll go with Commissioner Jackel.

Commissioner Jackel said, probably we pretty much had the same question. Vice Chairman Thomas said, okay, we'll go with Commissioner Murray. Commissioner Jackel said, looking at the map, the Elba Island location is east of Port Wentworth. Mr. Weaver said, it's actually the most extreme point on the Savannah River shown on this map is Elba Island. Commissioner Jackel asked, so how does it get from Elba Island to Port Wentworth? Mr. Weaver said, back in the late 70's when we built Elba Island, we built two 30-inch pipelines that leave the Island and go under the Savannah River through that point of South Carolina that's indicated in white on the map, and then it comes back across the Savannah River at Port Wentworth. In fact, we have an above ground metering station at the end of the Jimmy DeLoach Parkway, I believe. There's an interchange that we've actually been providing access to our property there for part of the construction of the Jimmy DeLoach Parkway that's been in existing helping us meter our gas flow since I guess the 50's or 60's when we first built that. Commissioner Jackel asked, is there any way to go from Elba Island down to 95, or do you have to go up to Port Wentworth? Mr. Weaver said, well, it would be -, the problem that we have, the primary problem we have in getting a federally approved project built anywhere are environmental issues, and it would be impossible to go back through those marsh areas given the current state of federal regulations, so it -, what we're doing is actually taking those existing pipes that leave Elba Island and then cross back over to Port Wentworth and just converting ownership of those pipes to the Cypress Natural Gas project and then starting our project from that point. Going south from there what we're trying to do is find the most direct route where we're not impacting sensitive environmental areas or significant historic areas and impacting as little as possible existing development and also projected development that we've determined once we've gone out and talked with the landowners. Our initial route in the map that I showed the public back in July was much more southerly. It crossed I-95 and then went almost south paralleling 95 through Pooler and I guess what's shown on here as the Williams communities, but we determined that there was significant development likely in the next five to ten years that we were trying to avoid as well as other wetlands issues, which caused us to take this whole westerly route. Commissioner Jackel said, all right, now, if you're trying to preserve historic resources, environmental concerns and future development, what's the price differential between your present route and coming down 95 -, since it's a buried pipe, why can't it be put underneath the right-of-way off the road under the ground? What would be the price differential between coming down 95 and the proposed route? Mr. Weaver said, well, I don't think I can answer that question because I don't know that there's been any economic study to determine why that was acceptable or not acceptable. The issue with building it under the right-of-way is that the Department of Transportation, either the USDOT or the Georgia DOT, will not give us permission to do anything more than cross, more or less on a right angle when we have to run near the right-of-way. We don't put our pipelines inside the right-of-way or running them under the roadway. Commissioner DeLoach said, for safety reasons. Mr. Weaver said, it's not -. Commissioner Jackel asked, for safety reasons? Commissioner DeLoach said, yes. Commissioner Jackel asked, when it's underground? Mr. Weaver said, well, the -. Commissioner DeLoach said, New

Mexico, did you see –, I think it was New Mexico where that pipeline blew up and cleared out an area of, what? How big an area was that when it blew that pipe up down there? Mr. Weaver said, I can answer. It's not safety reasons, it's more maintenance reasons. If we have to maintain the right-of-way or install the right-of-way under the roadway, we would have to dig up the roadway and stop traffic to do that, and so that's not convenient for anyone to allow that to happen. If we cross at an angle to get from one side of the road to the other, we have technology that allows us to bore under the improved foundation so there's no disruption to the surface flow. Now, but yes there was an explosion in New Mexico. It was out in the desert area, but because pipelines do have –, there is a risk with anything you build –. Commissioner DeLoach said, right. Mr. Weaver said, of incidents. We try to keep it away from –. Commissioner DeLoach said, yes, but I mean that was the idea. You don't put it along the interstate. Besides the maintenance, you don't have one side an interstate and that sucker decides to blow up, you know, you've cleaned out a bunch of people.

Vice Chairman Thomas said, okay. Are you finished?

Commissioner Jackel said, I'm –. Mr. Weaver said, I can't answer you anyway. Commissioner Jackel said, I'm in favor of Eddie's [DeLoach] idea that our County Engineer look at that and we see if we can't come up with some proposal that suits us better. I mean, I hear you've got your proposal, and that's fine, that's what you're supposed to do, but we need to have us figure out what is best for us and then work between what you have and what we think's best for us and see if we can't come up with some sort of compromise on this thing. That makes a lot of sense to me. Mr. Weaver asked, can I just follow up on that? In the process, the official process starts at the end of January when we make our application. The County will be part of the officially-noticed group of interested parties automatically and you'll particularly be part of the group that's notified once we make that filing and there's –, you're absolutely –, no one has been prejudiced by any of the work we've done to this point in time in saying that one route is not acceptable or another route is more acceptable. Commissioner Jackel said, I understand that, but where I'm coming from is when I go out to the car dealership and they say, you know, here's the sticker price, you're a nice guy, we're going to give you \$2,000 off. Well, I've got to try and argue a little bit more, so you're much better off if we go in and say, look, I've done my research, here's what your car's worth and then I try and get them to my price and they try and get me up, and that's what I want to do. I want us to have a plan that's best for us and then you try and make us change it rather than us making you change your plans. If that makes any sense to you.

Vice Chairman Thomas said, Commissioner Murray and then Commissioner Odell and Commissioner DeLoach.

Commissioner Murray said, I think you've given a good presentation and I appreciate that, but I think that Commissioner DeLoach certainly brings out some very valid concerns, which I agree with, and I do not feel comfortable voting on this one way or the other today to give permission to do anything until we have our Engineering Department look at it and bring some recommendations back to us. I don't know if Al [Bungard] is prepared for that today or not, and I know you don't appreciate any more work, but you're going to have to get some. But I just –, I don't feel comfortable with it especially after the concerns that Commissioner DeLoach has brought up, and I think we need to take a lot closer look at it before we make any decisions one way or the other.

Vice Chairman Thomas said, okay, Commissioner Saussy. Oh, I'm sorry, Commissioner Odell. Commissioner Odell said, no, go ahead. I'll yield to age. Commissioner Saussy said, you first. After you. Vice Chairman Thomas recognized Commissioner Odell.

Commissioner Odell said, okay. My only concern was I don't think that there's any opposition to the pipeline. All the concern is that if you run it down the middle of our property because the shortest distance for you is the most economic. It may not in the short or long term be the most economic to us. The only thing that we are saying, I think, is that if we have the right not to sell you the property, which breaks that perfects line, isn't it in your organization's best interest to meet our concerns and one of our concerns would be a different route prior to the actual public hearing because we'll still have the right of not proceeding, I'm thinking that we should. Mr. Weaver said, well, I think the answer to that question is yes. If you have concerns that you have specific development plans for that parcel or just have an objection to us crossing those parcels with the pipeline, then it's absolutely in our best interest to know that now so we can make whatever adjustments are possible. We are dealing with about 450 property owners from the beginning of the process to the end, and we're –, it's part of our obligation to merge all of the various objections and interests into a single one and put as few right angles in the pipeline as possible. So, absolutely, we will be –, it's absolutely not a problem and, in fact, we look forward to if that's the process of working with the County Engineer on whatever recommendations the County may have or suggestions that they may have on our ultimate proposed route. Commissioner Odell said, yes, I'd like to see that, not only the County staff, but the properties in which –, an area which we are developing to have a –, have their concerns expressed before it is a final decision or you do not have sufficient time. I think now we have sufficient time, and we have a right to say yes or no.

County Manager Abolt said, Dr. Thomas, I'd like for y'all to hear Mr. Bungard before you conclude.

Commissioner Odell asked, Russ [Abolt], is there any reason you cut me off? County Manager Abolt said, I'm sorry. I apologize. Commissioner Odell asked, you just thought I was through? County Manager Abolt said, I thought you were through, but I apologize. Commissioner Odell said, you're going to be looking at me for four more years, Russ [Abolt]. My point is that I'd like to not only see the County staff, but I'd like to see any of the developers out there to. Commissioner DeLoach said, yes, we need to –. Commissioner Odell said, need to have some input. I think there's a general consensus that what you're doing is not opposed. Your efforts are not opposed. We think that it's a good deal for you if you can make

a direct line; however, that direct line might cross our property and the impact is that it prevents us from it being a good deal. It makes it a bad deal because developers will not develop that property because of something that you've done, and we'd like to explore those. Not to necessarily object to the pipeline, but object to your line now.

Commissioner DeLoach said, can I –. David [Saussy], you want to get yours and then –.

Commissioner Saussy said, yes, mine will be very brief. I don't oppose the line. I do –, I think Eddie [DeLoach] has got a valid point that we do need to look further at this because that is a developmental area, and I think we need to look very closely at this and I'm sure that Al [Bungard] will come up with some answers for us.

Commissioner DeLoach said, to me we need to –, we need to get all the ball players involved in it, and that –, including the communities out in West Chatham which hasn't been –, they have not been contacted to the point they need to be contacted, and some of the major developers out there, Branigar, Konter Realty, some of those others. There's several of them out there that have got large parcels of land out there that stand to develop that could be hindered long term if we don't go ahead and say, okay, we need to sit down, where's this pipeline going because if you'll notice where your pipeline comes out of the ground around 21 over there, there's absolutely no development within –, I mean, it's –, you've got to go a ways before anybody does much development out there. So I'm concerned about long term development and I would propose that you get with the County Manager and Al [Bungard] and we set up some type of meeting because this is going to take a little time to do, and more than likely Dean Kicklighter will be pulling in here to pick up the pieces on this one here and so we want to make sure we've got a good stream going here and we've got a good direction going here so that he understands when he comes in what's going on and we get this thing pushed out as far, you know, economically for you –, I'm not saying we don't want to do this. I think everybody up here wants to do this, it's not a question of that, but we need to place this thing where long term all the people benefit, not just the pipeline, not just us, but everybody, and to do that it's going to require you to get to the municipalities and the County to find out what is the long term because you haven't asked us that. You've gone to each individual homeowner and that homeowner to him is one thing, to the overall development of Chatham County it's another, and that's the reason I got the rub about this not coming before us to start with. So I would recommend that we get all those affected, whoever they determine that is, and we put it together and meet with you and tell you where our long term goals are as far as this area of development, and then you place your pipeline with the least amount of impact for the communities and the citizens in West Chatham.

Vice Chairman Thomas said, okay. Thank you. Commissioner Rivers, did you still want to speak?

Commissioner Rivers said, Eddie [DeLoach] covered most of the concerns that I had of getting all the municipalities together because I noticed that it crosses Pooler and it also crosses the airport, some airport properties, so if all of those folks are concerned and we're clear on it, then we can come to some –.

Vice Chairman Thomas said, okay, so is that consensus. Commissioner DeLoach asked, is that okay with you. Mr. Weaver said, absolutely. Vice Chairman Thomas recognized County Engineer Bungard.

County Engineer Bungard said, I'm not familiar with the Federal Energy Regulatory Commission's requirements for doing environmental assessments or impact studies, but I'm reasonably sure they're going to have to go through the same process that I have to go through for the road projects because he mentioned the original route was through down along Pooler Parkway. That's when I first heard about it and sent y'all a memo, and now they're proposing another route. I'm assuming that they're going to have to go through an alternatives analysis to minimize the impacts, like we do, economic, archeological, and all those readings. I don't have the in-house capability to do that. We pay consultants lots of money to go do that for us, and they have to go back, like I have to go to GDOT and Federal Highway and the Corps of Engineers, they're going to have to do the same. The issue –, I'd like to recommend today that you do approve their accessing the property because I have to go through the same drill to do our alternatives analysis. It's part of the investigative process. They can go in there, get permission, turn a few shovels of dirt, make sure there's no archeological environmental –, I believe that's the purpose of this. Then I believe they're going to have to go back in the alternatives analysis and they'll evaluate all these considerations. Remember, we had 20-some alternatives with Truman Parkway. I think they're going to have to go through the same process. I think we need to make them do that. That part I agree with, and then we can certainly evaluate, you know, their alternatives. That's what I would suggest.

Commissioner DeLoach said, I don't –, we're not developing alternatives here if he's already contacted 95% and got approval of all the homes. I mean, of all people along this route here, 95% of those contacted –. County Engineer Bungard said, that's a part of their process I don't understand yet, why they're only investigating one alternative. That's all I'm saying. Commissioner DeLoach said, well, that's my point. This is their alternative, I'm telling you. This is where they're going unless we say, hey, man, this isn't where you're going, let's talk about it. County Engineer Bungard said, but the suggestion was that I take on the task of developing alternatives. Commissioner DeLoach said, no, I –. County Engineer Bungard said, I don't know by what authority, by what fund source, I would contract for a consultant to do the project. Commissioner DeLoach said, no, I'm not saying that. I don't think –, we don't need to put you in that job, but we need to have your input into this job. He pays the money to have it all studied. I mean, he's got, he's got a sack of money and he can take care of it, but my deal is I want long term. He needs the project. I mean, he doesn't want to go spend money on an archeological dig whenever he's not going there, and if there's enough votes up here, he's not going there where he's got it right now, but I would say we need to meet and find out where he –, where the municipalities and everybody says he might be able to go. Then he can go dig his –, you know, do the archeological [inaudible], and he doesn't want to have to do it twice either, and I think if he doesn't meet ahead of time, he's going to run into a problem long term. That's my only thought.

County Engineer Bungard said, I think we're having a violent agreement. They have to go through that process anyway.

Vice Chairman Thomas recognized County Manager Abolt.

County Manager Abolt said, if I may, thank you, Dr. Thomas, gentlemen, I would suggest to you that you make a conditional approval, and the conditional approval is exactly what you're asking right now, that you be presented alternatives and staff be allowed to review those alternatives. I don't want to assume that there are federal regulations that might protect you, and I realize this is only a small bit of real estate in the overall project, but you have every right as property owners to place conditions on your actions today. I would so recommend.

Commissioner DeLoach said, then let me --, if I tentatively approved it or if I kind of say, okay, well, I'm agreeing to it. County Manager Abolt said, no sir, you--. Commissioner DeLoach said, I mean, well--. County Manager Abolt said, well, by my recommendation you condition, you'd say you would approve it with the understanding you would receive alternatives. Commissioner DeLoach said, I don't think anything can happen until you have a meeting of the groups involved.

Vice Chairman Thomas said, okay. Are you finished? Commissioner DeLoach said, yes mam, I'm sorry. Vice Chairman Thomas said, Commissioner Murray, Commissioner Saussy and then we should have --.

Commissioner Murray said, when was staff contacted by this company? County Manager Abolt said, staff did not find out about this until we received concerns from citizens along the S&O Canal. It was a time when that was very high in the attention of not only the Commission, but also citizenry on the West side, and one of the citizens reported that they saw flags being placed in proximity to the S&O Canal, and there was a perception that somehow in advance of any decision on the alignment in improvements to the S&O Canal that staff was going to create a project. We went out and we ran that and we found that those flags, in effect, were representative of one of the alignments. Commissioner Murray said, okay. I really don't understand why staff, more than one staff member is recommending that we go ahead and approve this thing today. I personally am not going to vote in favor of it today. I still agree with what Eddie [DeLoach] is saying, and I think Eddie [DeLoach] is exactly right, and I think we have to have some more information and some other changes made before we can approve any of it, and I will not vote in favor of it, period, today.

Mr. Weaver asked, can I propose a compromise? Commissioner DeLoach said, sure. Everything y'all have said today is absolutely legitimate and correct and I'm not going to argue with any of it. It would take hours to argue all the fine points and they really --, they would come out negative to the actions that we've taken so far in trying to get the word out about this. We can --, we can go forward with the preliminary planning process that we have to do to meet all of the federal and state requirements to come up with not only our proposed route, which is reflected here, but all the alternate routes that we're going to submit, and because of the nature of surveying, we don't need to force the Commission to take action today one way or the other that you're uncomfortable with. We can take with the --, continue talking with the engineers and we can go forward with our process. So I --, rather than y'all voting no and creating some kind of a negative impression, I would just like to take it off the table voluntarily, not lay it on the table, just take it off the table and at the appropriate time we can come back and, or based on the instruction from the engineering group, we can do that.

Commissioner Rivers said, I'll move to table. Commissioner Saussy said, if we're going to table it, it [inaudible]. Commissioner Jackel said, that is what we need to do. I second that. Commissioner DeLoach said, we've got to vote on the table, haven't we. Commissioner Jackel asked, to a specific time? Commissioner DeLoach said, I think you need to do something before you do that. Commissioner Rivers asked, do you want me to withdraw? Commissioner DeLoach said, yes. I just --, just withdraw it. Give me one second here. Commissioner Saussy said, take it off and we'll put it back on.

Commissioner DeLoach said, my problem with this is if we take --, if this gentleman takes it off the table, it pulls it out of our arena here. If we take it off the table, it's out of our arena. He's going to go do what he wants to do and, you know, he can take off --. Commissioner Rivers said, it's on our table, it's in our ball game. We haven't given him authority to do anything. Commissioner DeLoach said, I know, but my point is that if we take it off --, in other words, if he says let's just take it off the table, and that's what we're basically doing here, well, that pulls him --, that pulls him out of our jurisdiction. Commissioner Rivers said, we tabled the issue, we didn't take it off. Commissioner DeLoach said, let me just finish, okay. My thoughts are, and I might be wrong, and you can help me if I'm wrong in my logic, if we pull it --, if he pulls it off and he walks away, the discussion ends there. All right, but if we set down and say, okay, I don't want to table this thing, I want to move forward with a meeting of the municipalities and the other jurisdiction --, people that have jurisdiction over this area, then we pull him into the process. I don't want him to leave the process --. Commissioner Rivers said, that's already set in motion. Commissioner DeLoach said, once we table it I can't make that motion. Commissioner Rivers said, okay, okay. First of all, we're tabling the issue that's before us. My premises is that we already came to a conclusion that we would meet with --, now if you want to make it more of an emphatic thing, then you make a motion to that effect, and the issue, we have tabled the issue. Commissioner DeLoach said, don't table the issue. Make --, let me make a motion toward that issue rather than tabling it. That way we still have the process in our arena. Okay? We keep it in here and then we do that, just so that we can get this --. I want to move forward with this thing with a meeting of the municipalities and the County so that we can determine this. I don't want to pull it off the table and it go down the tube. Commissioner Rivers said, no matter what the issue is, the key that we hold is that he wants to come across some of our property. Commissioner DeLoach asked, but what if he doesn't? What if he moves it 50 yards another way or that a way? Commissioner Rivers said, he

still has that right. We can't command that, but I'm not --, I'm not going to get in an argument. Commissioner DeLoach asked, can I make a motion on --? Commissioner Rivers said, you make your motion. [Unintelligible comments when several Commissioners were speaking at the same time.] Commissioner Rivers said, I've already withdrawn it. I withdrew it.

Vice Chairman Thomas said, it has been withdrawn. It has been withdrawn. Commissioner DeLoach said, okay. Vice Chairman Thomas said, and let me go now to the attorney.

County Attorney Hart said, all I was going to say is that, you know, in order to avoid this situation, what you could do is go ahead and have Commissioner DeLoach make a motion that the gas company meet with the local municipalities, vote on that and then withdraw the current consideration, as Commissioner Rivers says, which gets them committed to meeting with everybody, but takes this off the table and withdraws it as an agenda item.

Commissioner DeLoach said, that's it. That's what we'll --, just flip them and it keeps it in --, it keeps it in play. Okay. I'll make that motion that Jon [Hart] said. It sounded great. Commissioner Murray said, I'll second.

Vice Chairman Thomas said, okay. All in favor of the said motion, please vote. Commissioner Rivers asked, what's the motion? Commissioner Jackel said, what Jon [Hart] was saying. The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.] Vice Chairman Thomas recognized County Manager Abolt.

County Manager Abolt said, for the purpose of the minutes --. Commissioner Rivers said, I hope you got that Sybil [Tillman]. Commissioner DeLoach said, she's got a tape. County Manager Abolt said, for the purpose of the minutes, I would like to have the ability to interpret your motion that the applicant will provide all pertinent information as identified by the County Engineer so that in effect the taxpayers in no way will be doing any type of work that would benefit the applicant. Vice Chairman Thomas said, exactly. County Manager Abolt said, the applicant has to generate information based on queries from the County Engineer.

Commissioner Rivers said, so moved what's stated by our County Manager. Commissioner DeLoach said, yes. Vice Chairman Thomas said, well, it has been approved, the motion has been approved anyway. Commissioner DeLoach said, okay. Vice Chairman Thomas said, okay, thank you, gentlemen. Commissioner DeLoach said, thanks here. Commissioner Jackel said, thank you. Vice Chairman Thomas said, thank you very much. Commissioner DeLoach said, we approved it.

ACTION OF THE BOARD:

1. Commissioner DeLoach moved to untable this item and place it before the Commissioners for consideration. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]
2. Commissioner DeLoach moved that Cypress Natural Gas Company meet with all the local municipalities regarding its request for permission to survey certain remnant parcels adjacent to the north side of Jimmy DeLoach Parkway (identified as Parcels 17R and 18R on the right-of-way plans for Jimmy DeLoach Parkway), and that this action be removed from the agenda, withdrawing it from further consideration by the Commissioners. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

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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 SPECIAL SERVICE DISTRICT BUDGET AMENDMENT TO RECOGNIZE \$360,420 IN REVENUE FROM METROPOLITAN PLANNING COMMISSION FEES AND TO APPROPRIATE \$360,420 TO THE METROPOLITAN PLANNING COMMISSION, AND A MULTIPLE GRANT FUND BUDGET AMENDMENT TO RECOGNIZE REVENUE OF \$48,660 FROM THE CHILDREN AND YOUTH COORDINATING COUNCIL AND TO APPROPRIATE \$48,660 FOR THE JUVENILE OUTREACH PROGRAM, THE TRANSFER OF THE BALANCE OF FUNDS, \$27,880, FROM THE 1998-2003**

SPLOST, (DRAINAGE) VILLAGE GREEN ACCOUNT TO THE ADMINISTRATIVE EXPENDITURE ACCOUNT, AND A SPECIAL SERVICE DISTRICT CONTINGENCY TRANSFER OF \$500 TO THE SAVANNAH DEVELOPMENT AND RENEWAL AUTHORITY.

Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray asked, yes, this \$360,000 we wanted from the Special Service District, is that the money that's been raised from the fees that we've been charging, those new fees we've put in place? County Manager Abolt said, I wish I could say that was the money we've actually received. No, sir, that actually recognized that in our funding strategy for MPC for this fiscal year a greater portion of their budget is defrayed by fees. It was a clerical error. We had failed to indicate, in fact, in the budget document you approved there would be that amount of anticipated new fees going into MPC. Commissioner Murray asked, so that is not monies coming out of any type of contingency under the Special Service District? County Manager Abolt said, no sir, no sir. This is to recognize revenue from the new fee schedule which you did adopt, and we did –, if you remember, at our last meeting we gave you the first quarter financial report for this fiscal year. Given the experiences of the first three months of the first quarter of this fiscal year, we're forecasting approximately an \$85,000 deficit in MPC by the end of the twelve month period on the 30th of June. Commissioner Murray asked, and this \$360,000 is money that has already been raised through those fees, is that right? County Manager Abolt said, no, no sir. I wish that –. Commissioner Murray asked, well, where's the money going to come from? County Manager Abolt said, okay, when you approved the budget, there was a mix of development fees in this amount and then there was a portion of the MPC budget which was approved to be funded through SSD. That was the budget that was approved back in the second –, first meeting in July. We failed to make the budgetary action to move to their budget the expectation of revenues in the amount that you see before you now. This is purely a ministerial act that would make that right.

Commissioner Odell asked, so it's no additional money? County Manager Abolt said, I wish it were. No sir, it's not. Commissioner Murray said, and the \$500 to the Savannah Development and Renewal Authority –. County Manager Abolt said, yes sir. Commissioner Murray asked, for what purpose? County Manager Abolt said, sir, the Chairman received a request from the Savannah Development –, SDR. I apologize, sir, the organization that works in redevelopment of the downtown. The Chairman received an application following a meeting on the MLK Restoration proposals to have the County, as a property owner for the Courthouse on Montgomery Street, participate in the decorations of the MLK corridor for the holiday season. This would allow you to do it because the City of Savannah is also coming forward with a like amount, if you wish to do it. Commissioner Murray said, well, you know, it's not the \$500, and I'm not going to suggest we pull it out. I would just like to recommend that the City of Savannah and other municipalities remember that this is Special Service District money that we're putting in to something in the City of Savannah, and these people are always telling us that we don't pay our fair share, that we don't deserve any of the fifth penny that comes back to all the municipalities. That's the point I want to make with it because any time they want something they always come to the Special Service District to fund it for them. County Manager Abolt said, you're absolutely right, sir. I will tell you, as I've told you before, and I think you understand the sincerity of what we present to you, this is –. Commissioner Murray said, that's where I have a problem with it. County Manager Abolt said, yes sir. This is an alternative and, you know, we try to be creative, not illegal, but creative in financing. There is no way to immediately lay our hands on \$500 anywhere else in the budget, so one option you have is to do this, but Commissioner Murray is right on. Commissioner Murray said, but I mean if, say, we needed \$500 or \$1,000 to do something at the pier down at Tybee, do you think the City of Savannah is going to give it to us? I don't think so. But anyway, I'm not going to say anything else.

Vice Chairman Thomas recognized Commissioner Saussy.

Commissioner Saussy said, I'd like to know what the Children and Youth Coordinating Council is and what this money is going to be used for. I know it's just a pass through from the State to us, but it is taxpayers' money so I'd just like to know what it is. I don't know whether Lee [Moore] is here or not. County Manager Abolt said, Dr. Thomas, if I may, all that we have is a request from –, actually, it's initially headed by Judge Beam, but on page 10 of your agenda, there is reference to this grant and acknowledging that the amount of the grant is forthcoming. I cannot speak as to what will actually transpire in the delivery of service that would be funded from this.

Commissioner Odell said, Russ [Abolt], we had a presentation on this from Judge Beam several months ago. Commissioner Saussy asked, oh, that's what this is? Commissioner Odell said, this is the action. Commissioner Saussy said, okay. Commissioner Odell said, he told us about it midsummer. This is the action. County Manager Abolt said, thank you. Commissioner Saussy said, thank you. Commissioner Odell said, I try to be helpful.

Vice Chairman Thomas said, all right. Any further discussion? Hearing none, may I have a motion. Yes, Mr. Mackey.

Mr. Timothy Mackey said, good morning. Vice Chairman Thomas said, good morning. Mr. Mackey said, Timothy Mackey with Metropolitan Planning Commission. I have a question. The \$360,420 will that cover the \$80,000 shortfall? County Manager Abolt said, no sir.

Vice Chairman Thomas asked, do we have a motion? The Clerk said, no, we do not. Commissioner DeLoach said, I've got one then. I move for approval. Commissioner Jackel said, second. Commissioner Odell asked, approval of the entire

–? Vice Chairman Thomas said, all the –, yes, number one. Vice Chairman Thomas said, all in favor of the motion, please vote. The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

ACTION OF THE BOARD:

Commissioner DeLoach moved to approve the following: a Special Service District budget amendment to recognize \$360,420 in revenue from Metropolitan Planning Commission fees and to appropriate \$360,420 to the Metropolitan Planning Commission, and a Multiple Grant Fund budget amendment to recognize revenue of \$48,660 from the Children and Youth Coordinating Council and to appropriate \$48,660 for the Juvenile Outreach program, the transfer of the balance of funds, \$27,880, from the 1998-2003 SPLOST, (Drainage) Village Green Account to the Administrative Expenditure Account, and a Special Service District contingency transfer of \$500 to the Savannah Development and Renewal Authority. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

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2. PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CHATHAM COUNTY COMPREHENSIVE PLAN SHORT TERM WORK PROGRAM AND ADOPTION OF PROPOSED AMENDMENTS.

Vice Chairman Thomas said, I will now declare an open hearing of this particular amendment.

Mr. Clyde Wester said, thank you. I'm Clyde Wester of the MPC staff. The action that's being recommended by the Planning Commission this morning would keep the County's Comprehensive Plan in current status as required by the State Planning Regulations and would, in fact, I think, be the last required update of the plan prior to submitting a new plan in Year 2003. I think it's something of a housekeeping measure in that regard, but it's of substance and worthy of consideration. Basically the recommended amendments would change the schedule presented in the plan for presenting a historic preservation ordinance to the County Commission for consideration. It's just a change in schedule and that –. Commissioner Jackel asked, can you speak up a little bit please, sir? Mr. Wester said, I'm sorry. Commissioner Jackel asked, can you speak up just a little bit please? Mr. Wester asked, are these speakers up here working? Okay, I'm sorry. I'll repeat that, the last statement. The recommended amendments to the Comp Plan would change the schedule for presenting a historic preservation ordinance to the County Commission. We're recommending that a historic preservation program be included, addressed as part of a new Comprehensive Plan, as I said a moment ago, in about two and a half years. Actually, most of the interest in creating a historic preservation program in the unincorporated area has been generated from residents of Isle of Hope and one or two other communities out in the southeastern portion of the County. Most notably in Beaulieu. The members of our Citizens Advisory Committee who are working with us on the planning program in that area will begin a series of public meetings in the very near future. The committee themselves will hold those hearings. We will introduce the subject of historic preservation as an item for discussion at those public meetings to see what kind of support might be generated. Concluding, just a statement of what the Planning Commission is recommending. Specifically, it's to delete the three historic preservation activities that are identified on page two of your report from the 1998-2002 Short Term Work Program, a component of the Comprehensive Plan, and recommend that during the Comprehensive Plan update process beginning immediately that we review a need for guidelines to preserve the historic status of some residential neighborhoods.

Commissioner Jackel said, I didn't hear that. Vice Chairman Thomas said, didn't hear it. Commissioner DeLoach said, you talk worse than I do. Mr. Wester said, I'm sorry. Commissioner Jackel said, I didn't hear the last part of that. Commissioner DeLoach said, did not hear it.

Mr. Wester said, we delete the three historic preservation activities listed in the report from the current Comprehensive Plan Short Term Work Program, and during the plan update process that we review the need for guidelines to preserve the historic character of some of the neighborhoods. Commissioner Jackel said, I don't –.

Commissioner DeLoach asked, what are we voting on? Mr. Wester said, to delete the three items that are listed there from the current Comprehensive Plan schedule and instruct the Planning Commission to consider the need for a historic ordinance as part of the –.

Commissioner Odell said, I don't think we can vote yet. We have to have a public hearing. Vice Chairman Thomas said, we're still –, well, this is the public –, it's supposed to be. Commissioner Odell said, well, Eddie [DeLoach] said what are we voting on. Vice Chairman Thomas said, oh. Commissioner Saussy said, no, this is just a hearing. Vice Chairman Thomas said, this is the hearing. Commissioner DeLoach said, okay. All right, what am I hearing then?

Commissioner Jackel said, my question is then if –, do we need something ready to be in place before we delete these three items because –? Mr. Wester said, no. There's no requirement of that kind. It's a simple matter really of changing the schedule for pursuing these three activities. The current plan says that it will be completed this year, in Year 2000, and we're saying it will be completed some times afterwards, and reschedule it at some later date. That's what it's saying.

Commissioner Jackel said, well, that's what—. Mr. Wester said, it's just a change—, it's just a change in the schedule. We don't intend to drop this matter. There's a considerable amount of interest in it. Commissioner Jackel said, okay.

Vice Chairman Thomas recognized County Attorney Hart.

County Attorney Hart said, Madam Chairman and Commissioners, this is a situation in which these three issues that are to be deleted were—, it's a timing situation and, to be quite honest with you, we're not at the point—, we need to have a current amended plan that stays in compliance with the law so that we remain a qualified community for our funding programs, and all the MPC is doing is saying let's delete these now because we've got a series of public meetings and we're not a hundred percent sure about what kind of ordinance we want to have for historic preservation. Let's delete to say in compliance, but within—, starting immediately start the public hearings so that we can come back with the plan to be submitted and make it part of our new plan. Commissioner DeLoach said, I've got you.

Vice Chairman Thomas asked, anyone else wish to speak? Commissioner Jackel said, now it makes sense. Thank you, sir. Vice Chairman Thomas said, okay. No one else wishes to speak? Then I declare the open hearing closed and we may now proceed. Vice Chairman Thomas recognized Commissioner Rivers.

Commissioner Rivers said, okay. Madam Chair, I'd like to make a motion that we approve Alternative One, which is delete the three historic preservation activities from the 1998-2003 Comprehensive Plan Short Term Work Program and, during the Comprehensive Plan update process, review the need for design guidelines to preserve historic neighborhoods. Commissioner Saussy said, second.

Vice Chairman Thomas asked, any discussion? Hearing none, please vote. The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.] Vice Chairman Thomas said, the motion is carried.

ACTION OF THE BOARD:

Following conclusion of a public hearing, Commissioner Rivers moved to delete the three historic preservation activities from the 1998-2003 Comprehensive Plan Short Term Work Program and, during the Comprehensive Plan update process, review the need for design guidelines to preserve historic neighborhoods. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

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3. EAST/WEST CORRIDOR BRIEFING (15 MINUTES).

Vice Chairman Thomas asked, who is that, Milton [Newton]?

Commissioner Jackel said, Madam Chairman. Vice Chairman Thomas said, yes. Commissioner Jackel said, I have to leave in just a couple of minutes, so can I ask some questions out of turn? Vice Chairman Thomas said, yes. Commissioner Jackel said, because I'm going to have to go. In looking through this material, 37th Street wasn't discussed as an alternative where you could come down the Truman Parkway and possibly have an exit come across on 37th Street and hook up with I-16. That seems like a very viable alternative, and I don't see it discussed in here at all.

Mr. Milton Newton said, one of the things that the—, the work that has been done thus far was to identify all the alternatives that have been identified by citizens groups and by the Planning Commission and consultants over the years. Once that was done those were all investigated. One of the primary concerns that the program to date has had has been to assure that communities are not disadvantaged to the point that when you try to run a major roadway through the middle of a residential neighborhood it does something to that neighborhood. That was a major consideration, and I believe it was for that reason that that particular project was not one of the—, the project that was selected to be looked at in further detail. Commissioner Jackel said, well, I think 37th Street is less than some of these others. I'm not sure I would favor it, but I would really encourage y'all to look at it because it's a direct route, and it's a wide road to 16. Mr. Newton said, it certainly can be—. Commissioner Jackel asked, could we have just a little bit more light in here.

Commissioner Rivers said, let me say this, 37th, 37th Street would have the same negative impact—. Vice Chairman Thomas said, I was just fixing to say—. Commissioner Rivers said, that you would have bringing it down Liberty Street. Commissioner Jackel said, I just wondered why it wasn't discussed. I'm not saying in necessarily for it. Mr. Newton said, you have some very formidable housing. Vice Chairman Thomas said, yes, I was just going to say that.

Commissioner Jackel said, and then if we're talking about taking trucks off of Bay Street, the—, what I would like to see happen there is us complete the Truman Parkway and the Truman Parkway hook up to the Veterans Parkway and we have a loop. If we can get those trucks off, I think we will solve a lot of the traffic problems, and I know that's not part of what the citizens have in the past been discussing, but I think it is a very viable alternative for the future, and it would form a perimeter around that. I think it is essential that the Truman hook up with that and then the trucks can just go around, as they do in some of these cities. You have—, the trucks have to use the perimeter in Atlanta, they can't go through the city. We could make that same requirement and that way we'd have the trucks off of Bay Street and that would substantially change the

traffic pattern. Mr. Newton said, that certainly is on the table. Commissioner Jackel said, okay, well, that's good. Unfortunately, I have to leave. I've been looking forward to this presentation, but the material you have here is excellent and I commend you for the work you did, but I just wanted to bring up those two points.

Vice Chairman Thomas recognized Commissioner Saussy. Thank you, Commissioner Jackel.

Commissioner Saussy said, another alternative to that is not on here, and I think some of the citizens have asked for this, is for another bridge across the river at the terminus of Truman Parkway going up and tying in with 95, maybe in South Carolina. That might be a long way down the road, but that's certainly is an alternative and a very viable one. Mr. Newton said, I think when we go through the presentation I believe that is addressed and I think you will be pleased to see that. Commissioner Saussy said, I didn't see it on here.

Mr. Newton said, rather than me talking a lot I wanted to let Mark Wilkes go through the presentation and then if you have questions, we'll both try to answer them.

Mr. Mark Wilkes said, if I could I'd like to address the last question. I believe that the alternative that you mentioned would be referred to as the Bay Street Bypass option, and that is included here. The presentation I have for you this morning is essentially the same presentation that we gave the City Council about a month ago. The east/west corridor study was a study that we contract with HNTB Corporation in 1997 and I just have a very brief presentation to bring you up to date on the project. First, it'll be background and development trends. In this community and many others around the nation, the development trends over the last 50 years have brought us widespread low density development coupled with separation of land uses. This pattern encourages automobile travel. The same low density pattern limits the feasibility of public transportation and transportation demand management options. Locally our existing pattern of isolated centers of population and development are concentrated in the upland areas. These are somewhat unique to this area. These areas are separated by extensive wetlands and lowlands. This tends to funnel traffic through a series of exclusive corridors and bridges. Establishing additional connections between these areas is often very difficult, often not feasible due to financial or environmental constraints. In addition, the Savannah River and the associated port development has generated substantial demands for east/west commercial vehicle travel. Another factor we have that's somewhat unique locally, we have our extensive historic districts. These present additional barriers to traffic engineering solutions in terms of regulatory issues and community acceptability, and then finally growth. It's widely acknowledged that we're experiencing significant growth. We expect that to continue. The result of all this, of course, is a lack of an appropriate east/west corridor and traffic congestion. Key issues that are addressed in the study include growing demand for east/west travel, the extensive freight movement and high truck volumes in the corridors, degradation of existing land uses in association with that increased volume, and safety issues. How does this manifest itself? First and foremost, increased congestion. Just to give you a few examples, according to our latest traffic models that we work with in the CUTS program, we're expecting approximately a 100% increase in traffic on parts of DeRenne Avenue between now and the year 2025, about a 90% increase on adjacent sections of Interstate 516, and about 25 to 30% increases in Bay Street traffic. Those numbers would reflect what we expect to happen if nothing, nothing is done that's not already planned, already in our long range transportation plan or programmed. The basis of our long range transportation planning, of course, is our TRANPLAN, our TP+ models. They've been calibrated to replicate Chatham County conditions and prepare the traffic projections that I spoke of. From those models we obtain arterial projections, we obtained extensive turning movement counts from the City of Savannah. We used the arterial projections to project turning movements and conducted a traffic operations analysis. What we tried to use to assess the future conditions was a level of service analysis. The level of service was derived from a program we all CORSIM that we got from FHWA. I'll give you an example of, this happens to be DeRenne Avenue. We calculated projected levels of service based on speed. Level of service, just to give you a brief explanation, ranges from level of service A, which would be the best traffic service, to level of service F, which would be the worst. This is a very, very detailed table, but I would just --, would want to point out the generalities here. The top would be existing 1997 conditions, the bottom would be the most intense improvement that's been proposed for DeRenne Avenue for 2020. The color code, level of service, A is grey, B is blue, C is cyan, D is green, E is yellow, and F is red, and what you'll see here are existing conditions. We have a lot of E's and F's, the yellows and the reds, up here at the top. The next block here is what we expect to happen by the year 2020 with committed improvements. Somewhat of a degradation, site reduction, level of service going from E to F, and the following five tables are the levels of service that could be achieved with different alternatives. The most intense, of course, would give us a significant improvement of level of service. You see a lot of A's, a lot of B's. I present this just to give you an idea of the type of the level of analysis that staff has conducted.

Commissioner DeLoach said, back to that picture there, the last one. Mr. Wilkes said, sure. Commissioner DeLoach asked, so what are you saying? I see all the picture, but what's it saying? Mr. Wilkes said, well, it's a very busy picture, but what it's, what it's actually saying is this is where we are now, overall level of service E, you see a lot of D's, E's and F's. Commissioner DeLoach said, that's terrible. Okay, we get down there to the bottom and it's good. How did it go from terrible to good? By adding what? Mr. Wilkes said, this is a full freeway concept for DeRenne Avenue. That would be a great separated facility with frontage roads. Commissioner DeLoach said, okay. I --, jut tell me what we're talking about and I can get there. So we're talking about a freeway over there? Mr. Wilkes said, essentially a freeway. Commissioner DeLoach said, freeway. Mr. Wilkes said, uh huh. Commissioner DeLoach asked, with down ramps or up on, what we talking about? Mr. Wilkes said, there would --, what the consultant looked at is the most likely scenario for that would be to keep some of the existing lanes of DeRenne Avenue as the northern frontage road, which would become one-way westbound, probably apply the first row of parcels on the south side of DeRenne Avenue, use the additional right-of-way to construct a four-lane divided facility just south of the existing lanes. Commissioner DeLoach said, okay. Mr. Wilkes said, and in addition an eastbound frontage road. Commissioner DeLoach said, so we take every --, we're driving in to

Savannah from 516, we take everything on the right-hand side for about a hundred feet, 200 feet wide? Mr. Wilkes said, approximately.

Mr. Newton said, I might add that under –, that's only one of the alternatives. Commissioner DeLoach said, oh, I know. Yes, I know. We're not –, everybody's not selling their property today.

Mr. Wilkes said, well, we have in the middle here a lot of less intense alternatives. They provide some improvement. Just showing you that we have studied several alternatives. Commissioner DeLoach asked, what's that –, what's the second one then? Tell me about it. Mr. Wilkes said, the second one –, from the bottom? Commissioner DeLoach said, yes. Mr. Wilkes said, is a partial freeway concept which would involve constructing a great separated facility from the 516 terminus to approximately Abercorn Street and then bringing it down to grade, running a surface street over to the Truman Parkway. Commissioner DeLoach said, okay. Mr. Wilkes said, significant improvement there. Same overall level of service, but we do evaluate level of service based on your average travel speed and there is a significant improvement in travel speed for the lower alternative and, as well, in this –, and this isn't apparent on the screen, but as the improvements intensify, we're also serving a higher amount of traffic which implies that we're pulling traffic from side streets and neighborhoods, which has some side benefits. Not only are you increasing your level of service, you're also serving a greater number of people at that improved level of service. Commissioner DeLoach said, okay. Thank you. Mr. Wilkes said, I think what we're reflecting here is no shortage of work and analysis. Commissioner DeLoach said, yes.

Commissioner Rivers said, if we do the other two legs of the Truman Parkway, that's going to impact that traffic going back into 516. Mr. Wilkes said, that's factored into this. Commissioner Rivers asked, that's factored in? Mr. Wilkes said, let me say, in the second table here, the existing facilities plus committed improvements, that's a committed improvement. We –, for all future scenarios we did include the completion of the Truman Parkway. Commissioner Saussy asked, all the way? Mr. Wilkes said, all the way to Abercorn. Commissioner Rivers said, you know, and I'm hoping that the Truman will alleviate some of that congestion right there at Waters and DeRenne. That's impossible. Mr. Wilkes said, initially, initially it will help Waters Avenue quite a bit when it opens. Over time our traffic models are projecting that Waters Avenue traffic will increase again over time, probably over the next 25 years once again approaching the level that we have today. Commissioner Rivers asked, what are we looking at to alleviate that bottleneck? I mean, it's –. Mr. Wilkes said, well, that's the parkway. They'll alleviate a lot of the congestion you have today –. Commissioner Rivers said, but you said in 25 years beyond it's going to return, you know. Where do we go from there? Mr. Wilkes said, that's a very good question. That's –, I think we have reached the feasible limits of widening Waters Avenue, at least this point in time, so I'm –. You know what I'm saying, what I'm saying is the background traffic and that new growth will cause –, the day Truman Parkway opens you will have a dramatic drop on Waters Avenue, or shortly thereafter. Over time that will creep up again. Commissioner Rivers said, but still we're looking at more vehicle traffic. I think long term that we need to look at other transportation means to alleviate what you say that we will head into 25 years beyond, and I think constantly we're focused on our roadways and we should be looking at total transportation needs rather than just honing in on those interior arteries that we need to move traffic. I think that –, get away from the congestion and the pollution to head off heading into the same thing that Atlanta, Augusta, Macon and all those are going to –, are headed towards, and noncontaining, we're going to have to begin to look at how we eliminate that aspect of it too. Mr. Wilkes said, there are many factors that contribute to that. Our land use patterns will probably be one of the most significant, and there is also a relationship where facilities that we construct support certain land use patterns. That's all kind of a synergistic effect there. There was evaluation of public transportation and demand management strategies as part of this study. I don't have –, I don't have a great focus on that today because –. Commissioner Rivers said, and then another key point is that when you're planning all of this and if we get into a place, into a situation where our federal dollars are cut off, you can't do any of this. So we need to be sure that we're looking ahead, that we don't ever get to the point where we get our dollars cut off. Mr. Wilkes said, right. Actually this –, a lot of the work that has contributed to this, including our transportation models, are part of the effort that we undergo to remain eligible for the federal funding. We are required to maintain a plan at least 20 years, which essentially means we create a 25-year plan and update it every five years. Hopefully, this will –, hopefully, I'll shed maybe a little more light on this, but alternatives –, those types of alternatives are not the main focus, so feel free to contact me if you'd like to discuss this further, or if I don't answer your questions adequately just let me know.

Mr. Wilkes said, in addition, I have a CORSIM animation to show you of the same CORSIM model that we used to produce our levels of service. It also gives us another unique ability, that is, to visualize the traffic flows. This is the intersection of DeRenne Avenue and Montgomery Street. The upper screen in the blue is the existing condition, which I believe was calibrated to 1997. [Viewing of animation.] Commissioner DeLoach said, check 'em out. Mr. Wilkes said, the lower, I mean, the –, yes, the lower screen in green is the 2020 scenario. It's a no build alternative, essentially completing the projects that are on the long range transportation plan with no other significant frequency. I just want to show you this to once again elaborate on the level of detail that we have used in this study. The yellow vehicles are right-turn vehicles, greens are left-turning vehicles, and of course you can see the signal phases. So we have the ability for these alternatives to visualize the entire corridor and look at what we're contemplating in quite a bit of detail. I'm going to zoom out to a smaller scale to let you see a little bit more of the corridor, and I think what you'll see in the 2020 scenario is a lot more cuing, you'll see more instances where traffic backs up through an intersection after the light changes. Commissioner DeLoach said, they don't take into account the drunk driver. Mr. Wilkes said, beg your pardon? There's a lot of –, there's a lot of bad driver behavior reflected in here. Commissioner DeLoach asked, there is? I was wondering if y'all kind of plugged in somebody like me running down the road. Mr. Wilkes said, well, there's –, all the time –, if you keep watching you'll see right-turning vehicles approaching the left lane and then people have to wait behind them at the intersection while somebody lets them over. There has been a very good attempt here to replicate some bad driver behavior that does happen. Commissioner Saussy said, they can't catch you, Eddie [DeLoach]. Commissioner DeLoach said, they can't

catch me –. Mr. Wilkes said, that does happen. Commissioner DeLoach said, the Sheriff can get me. Mr. Wilkes said, everybody's behaving pretty well right now. Commissioner DeLoach said, I'd like to have that thing to play with. Commissioner Saussy said, this is a Nintendo. Commissioner DeLoach said, a Nintendo. Mr. Wilkes said, this is the same intersection. I think you will notice here though the cuing is more severe in 2020. This is Mildred Street, which is that two-lane kind of F-grade road that you can access off of 516. What we see –, what we see here this is supposed to reflect the evening peak hour. What you will see by the end of the animation if we run it that long is that the traffic backs up essentially to Veterans Parkway or thereabouts. It's hard to estimate because it backs up to our entrance node on this model and we don't have a picture of what happens beyond there, but I think that's what we can presume. Commissioner DeLoach said, they turn around and go home. Mr. Wilkes said, and we're about –, we're about to the end of this animation so I'm just going to back down the line here in the 2020 scenario and see what we're looking at. Here beyond Mildred. [Viewing.] Mr. Wilkes said, and there we are. The model ran for 15 minutes, so this will put it to about five o'clock in the evening. So existing conditions we have significant backup, it looks like we're about doubling that in 2020. The same –, we have the entire corridor in here, similar conditions throughout. This is one of our fun toys. We don't get to use it a lot because it requires a lot of data. It takes a good deal of time to calibrate these models, but I just wanted to give you some examples of the types of analysis we've done. I'm going to flip back to the rest of the presentation.

Mr. Wilkes said, some of the initial concepts of the study were the do nothing alternative, TSM and TDM strategies. These are transportation systems management and transportation demand management, two different strategies to try to address traffic problems at lower costs. Transportation systems management would be small scale improvements. I think the Waters Avenue widenings that we've seen in the last year or so are good examples of TSM. Not a wholesale widening of the facility where you just go in and add, you know, two or four lanes all the way down the route. You go to selective trouble spots and try to do some small scale improvements to alleviate those. Transportation demand management attempts to address the way –, the way we demand capacity from a roadway system by addressing human behavior. It looks at things like –, alternatives like van-pooling, car-pooling, whether or not flex time can be implemented or coordinated with employers. Just anything that would try to alleviate demands we place on the roads and try to save money that way. Street improvements, more traditional improvements, freight movement was looked at, bus travel, rail transit and bike and pedestrian issues. Seventeen alternatives were initially analyzed in seven major corridors. I'm not going to –, in the interest of time I'm not going to go into great detail about these. If you see one that you have a question about, I'll try to address that. We have the no build alternative, three Bay Street alternatives, Henry and Anderson Street alternatives, Gwinnett Street alternatives, DeRenne Avenue alternatives, Victory Drive and Hutchinson Island alternatives. These were the Bay Street Bypasses that we mentioned earlier. They included bridge and tunnel options and the option to extend either of those to the Houlihan Bridge. We evaluated these initial alternatives based on traffic service, traffic diversion potential, commercial vehicle routing considerations, pedestrian safety implications, cultural and economic impacts, natural resource impacts, and also physical requirements. We identified a short list of eight alternatives for more detailed study. They were the Bay Street Bypass Extended, the Bay Street Mixed Flow Tunnel, the Bay/Broughton Street One-Way Pair, the Broughton Street Truck/Rail Tunnel, the Liberty Street Tunnel, the Gwinnett Street Tunnel with extension to Truman Parkway, Henry and Anderson Street improvements with Liberty Street Lead Roadway, and the DeRenne Avenue Expressway. These are the alternatives. The Bay Street Bypass with extension you see up here on Hutchinson Island, the Bay Street Tunnel, the Bay/Broughton One-Way Pair, the Liberty Street Tunnel, which would tie into President Street, the Gwinnett Street Tunnel with connection to Truman Parkway, the Henry/Anderson One-Way Pair, and the Liberty Street Lead Roadway, which would happen on or adjacent to the existing rail right-of-way, and the DeRenne Avenue Expressway. Just to go through some of the pros and cons:

The Bay Street Bypass advantages, that it does not impact the historic district, enhances east/west mobility on the north side of Savannah, and would serve as a potential diversion route for commercial vehicles. The concerns included high cost and the extensive natural resource and environmental impacts, and I think by that they're referring to the difficulty of getting, I guess, from the other side of the river on Hutchinson Island up to the vicinity of the Houlihan Bridge. We considered that rather than just tying into the existing bridge for that route to serve as a meaningful traffic diversion facility that we would have to give them somewhere to go, we would have to give them a viable route upriver. The –, it's not going to be a logical –, what we're saying is, it's not going to be a logical route for trucks to follow or personal vehicles to make a circuitous route, you know, up and over a bridge, down across Hutchinson Island and once again back down the bridge. Considering these extensive approaches, that would not alleviate traffic on Bay Street.

The Bay Street Tunnel had several advantages. It reduced traffic on Bay Street, enhanced the ambiance of the historic district, accommodates commercial vehicles although we should note that for all tunnel options there are restrictions on carrying hazardous materials through tunnels, so those vehicles may very well remain on the surface streets. Also the Bay Street Tunnel was less costly than other tunnel concepts. I believe for Bay Street we would have had a cut and cover tunnel, which would involve digging out the street and constructing the tunnel. Concerns were high cost, construction impacts, impact to historic buildings and trees and access issues.

The Bay/Broughton Street One-Way Pair have a great advantage in that it did address the east/west capacity issue and did not require additional right-of-way in the historic district, and the cost was very moderate. Unfortunately, this would require an extension of Broughton Street. It does not address commercial vehicle concerns, and quite honestly with what's going on on Broughton Street, we don't feel that this one-way pair would meet our needs. It would probably involve speeding up traffic through those facilities and compromising some parking. So I don't think high speed traffic on our surface streets downtown is really what we're trying to achieve here.

The Broughton Street Truck/Rail Tunnel is an alternative that was identified in the intermodal freight study that Georgia DOT commissioned several years ago, and they were very favorable toward the Broughton Street Truck/Rail Tunnel. It would reduce at-grade rail crossings by eliminating the Liberty Street Lead through the City of Savannah, it would provide for commercial vehicle diversion, and it's very direct. Unfortunately, this is another cut and cover tunnel and the construction impacts would be severe to Broughton Street. Essentially you would close down sections of Broughton Street and dig out the tunnel, as you would on Bay Street. We feel that would be a very heavy impact to some of the businesses that are now starting to locate on Broughton Street. Also, a very costly option.

The Liberty Street Tunnel is a different type of tunnel. It was a bored tunnel, a little bit deeper underground that could be accomplished without disrupting the surface street. It would provide a direct linkage between President Street and I-516 and reduce traffic in the Bay Street corridor. Also, the existing right-of-way is adequate. Even higher costs, however, to construct a bored tunnel. There would still be construction impacts and right-of-way impacts east of Randolph and Wheaton Street.

Gwinnett Street Tunnel involved tunneling under Forsyth Park. It would provide a small reduction in Bay Street traffic and what happened with all of our alternatives, the further away we got from Bay Street, the less we helped Bay Street because it's a less direct route and takes people more time to travel it, so, you know, what we ultimately found out was that we couldn't fix the Bay Street problem on DeRenne Avenue and we couldn't fix DeRenne Avenue downtown, which was no great surprise. Gwinnett Street Tunnel, once again, small reduction in traffic on Bay Street, potential commercial vehicle route also, impacts to Forsyth Park and the historic districts, and to the neighborhoods east of Waters Avenue where the facility would come back up to grade.

The Henry/Anderson Street Improvements with Liberty Street Roadway, once again a small reduction in traffic on Bay Street. It would be a potential commercial vehicle route with moderate costs. We don't feel that it's a very viable truck route, and there are some questions about whether the railroad right-of-way will be adequate.

The DeRenne Parkway alternative will provide a logical freeway link to other major freeways in the area, namely Lynes Parkway and Truman Parkway. It would greatly improve east/west capacity south of downtown and address at the same time safety concerns on DeRenne Avenue. The right-of-way and displacement impacts would be severe and neighborhood concerns would have to be dealt with.

Mr. Wilkes said, just to bring you up to date on the study, first the consultant activity. Our original contract is 85% complete, we've completed, or HNTB with our help has completed data collection and review, existing conditions evaluation concepts screening, and prepared a draft executive summary on the most feasible options. In addition, the traffic operations analysis is nearly complete, as are functional plans, costs estimates and financial analysis. On the staff side, we have conducted the public involvement for the study at MPC. This was not something that HNTB was contracted to do. We hosted three of our own public meetings and attended a public meeting that was hosted by the Magnolia and Kensington Park Neighborhood Associations. In addition, we coordinated with the Chamber of Commerce that has taken an interest in the project. We have also conducted an expanded technical analysis, we have done system level traffic modeling, which we discussed, level of service analysis, which I've shown you an example, and CORSIM analysis. What remains to be done, additional community outreach and public involvement will be necessary we feel with an eye toward consensus building and hopefully leading to informed consent. Following that we could move on to environmental assessment or environment impact statement, depending on the strategies selected, and implementation. That's all I have. I will be happy to try to answer any questions that you may have.

Commissioner Saussy said, I'm sure that you all have done this, but as far as the cost goes, have you gotten figures on the various costs of these things? Mr. Wilkes said, yes. Would you like me to run --, would you like me to give you a run down on the costs? Commissioner Saussy said, yes, I'd like to know what the costs are. Mr. Wilkes said, okay. Going back in order, the Bay Street Bypass, which was the new bridge to Hutchinson Island and extension to the Houlihan Bridge, these are --, these are orders of magnitude cost estimates. It's really too early to do a great detail, but [inaudible] to prepare these, they feel would be between 250 and 330 million dollars, depending on some contingencies. Commissioner DeLoach said, they ought to be some built in there. Mr. Wilkes said, the Bay Street Tunnel, the range is between 95 and 130 million dollars. The Bay/Broughton One-Way Pair, 7 to 10 million dollars. The Broughton Street Truck/Rail Tunnel, 160 to 210 million dollars. The Liberty Street Tunnel, 210 to 270 million dollars. The Gwinnett Street Tunnel, 80 to 110 million dollars. The Henry/Anderson Street Improvements with Liberty Street Lead Roadway, 5 to 7 million dollars, and the DeRenne Parkway, 80 to 110 million dollars. These are probably about a year old. Commissioner Saussy said, on the Bay Street Bypass, you said take it up to the Houlihan Bridge, is that on Hutchinson Island and the islands aren't going to South Carolina. Mr. Wilkes said, that would --, initially that was considered to be on the islands. It's our understanding that the City has had some coordination with the developer on Hutchinson Island and it's our understanding now that it may not be feasible for a bridge to touch down on Hutchinson Island, it might have to happen in South Carolina. That could affect the cost. Commissioner Saussy said, well, it could affect the cost, but you could also get South Carolina hopefully to pay part of the cost, which mostly would be federal I'm sure. Mr. Wilkes said, yes, I think we can assume that most of these would be --. Commissioner Saussy said, right. The other thing is the bridge across the river, another bridge across the river is --, a hurricane evacuation certainly would help in that. Mr. Wilkes said, I highly recommend it. Commissioner Saussy said, from the island. Mr. Wilkes said, yes, and I highly recommend the bridge during hurricane situations. I had no delays using the bridge getting out of town.

Commissioner Murray said, my question is, and I understand this is –, these are all just proposals and studies that you all are doing, but who would be responsible for funding any of these projects if they were to be built? Mr. Wilkes said, I believe that –, I believe that typically we would be looking at the federal government for at least 80%. We do have some funding designated in the current local option sales tax that could be used for matching funds or it could be used to –. Commissioner Murray said, excuse me. We do have currently? Mr. Wilkes said, yes, 20 million dollars, I believe, was tentatively earmarked for the east/west corridor study in the SPLOST. That could be used toward environmental studies, as I understand, or toward a local match. So there is a source of funds. Commissioner DeLoach said, for 200 million. Commissioner Murray said, well, if we've got 20 million dollars in the sales tax for that, why are we taking money from the flyover project and sending it all to Hutchinson Island? County Manager Abolt said, no sir, two different –, well, two different issues. In the most recent vote on the sales tax for '93 –, yes, from '93 –. Excuse me, from '97 forward there was an allocation requested by the City for east/west corridor. It was purely a grab out of the sky. That's for that project. You're going to be spending nothing against that. The issue on Hutchinson Island dealt with a project that had already been approved and you had certain discretion because the State agreed to take it over, and that was the flyover on Johnny Mercer and US 80. Commissioner Murray said, well, I guess my next question then has 100% of that money been utilized? County Manager Abolt asked, on the 11 million dollars? Commissioner Murray said, yes. County Manager Abolt said, I'll have to defer to Mr. Bungard. I do not know, sir. Commissioner Murray said, he's not here. County Manager Abolt said, well, we'll get him. Commissioner Murray said, okay.

Vice Chairman Thomas said, okay. Commissioner DeLoach said, thanks a lot. Vice Chairman Thomas said, thanks a lot. Mr. Wilkes said, thank you.

ACTION OF THE BOARD:

Received as information.

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4. REPORT FROM COUNTY ATTORNEY ON DEVELOPMENT ORDINANCE MODIFICATIONS.

County Attorney Hart said, at the –, two meetings ago Commissioner Murray raised three questions, which are in the cover sheet to the memo, and then I made some findings of fact at the bottom of that memo that tried to summarize the more detailed memo that is attached to your document. To be blunt, the three questions basically required me to go into considerable amount of background to explain planning districts and PUD districts within the Zoning Code because I think Commissioner Murray's questions went to the heart of a multitude of issues under the –, our current zoning ordinance and for some time, as you are aware, there has been some thought about working on redrafting parts of the zoning ordinance and it's always been a funding issue. I tried to lay out in my memorandum to you the background concerning P districts and PUD districts and then go through each one of the questions that Commissioner Murray had asked and outline how currently those issues are being handled in P districts and PUD districts. The upshot of this is something that y'all are probably going to need to take into consideration and think about a while, but clearly there were a number of recommendations we made. There's some language issues and terminology issues used between P districts and PUD districts that I think merits consideration of sitting down and redrafting the ordinance so there's some consistency of language and terminology. There's also some issues about clarifying parts of the ordinance concerning Metropolitan Planning Commission and the Commission dealing with the review process of general development plans and the consideration of adding some factors to be considered in the review of general development plans, and also in going through the ordinance, especially in the area of PUD ordinance, there became some issues of perhaps considering –, and some of these issues are policy issues that y'all have to consider, but a clarification as to MPC Board issues vs. MPC staff issues, and then back again the right to review development plans and some policy issues on the consideration raised in question three concerning the extent of drainage issues and how you would like to fit those into the –, within the zoning statute. I think Commissioner Murray alluded to the fact that he thought that was a situation that ought to be a factor to be considered, but at the same time recognize that, you know, requiring too detailed of a plan in a preliminary concept, you've got some cost factors, and it seems to me that there's some policy issues and there's going to eventually have to be some cost benefit analysis done as to whether requiring these plans adds any real front-end value, but at the same time there –, we probably need some input from County engineering staff, Metropolitan Planning Commission, maybe even the public sector.

Commissioner Murray asked, that cost that you're talking about would be who's cost? County Attorney Hart said, it would be either a cost to the developer insofar as whether it adds any value to the project or whether that cost is lost by changing the plans. There could be benefits if you looked at drainage in a preliminary situation from the standpoint of overall outfalls and what the impact is to the overall drainage plan for the County without question, but if you require detailed drainage plans in a preliminary study, you get down to the fact that on most of the larger projects those plans are modified at several points during the process, which has a re-engineering cost factor with it, you've got a policy decision whether you wish to impose that expense burden on a developer on the front end or whether you want to put it at some point in the middle when you have a more detailed set of plans, and it's just a simple matter of having to make a decision of do you want to increase cost to development and is there a public benefit by doing it earlier than sooner [sic] or at some point along there does it get to be a point that we need to look at and say, yes, at this point we really do perceive a public benefit. You know, these issues are not issues that you can talk about in black and white. This –, I tried to do a little primer on where we stand

insofar as our zoning ordinances, insofar as our planned districts and PUD. I want to caution the Commission that the information contained in here is in fact accurate, but it's talking about it on a global setting so that if you take a particular project and try to analyze this memo to a particular project without further analysis and because the zoning regulations are so complex, it would probably require a little bit further analysis, but I wanted to keep it specific enough to get you a feel for it, but broad enough so you tried to obtain the big picture in it.

Vice Chairman Thomas asked, any further questions? Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray said, yes, I just feel like that when something goes through the MPC and has approved certain issues that don't come back to us, we're the ones that catch the phone calls and the problems from the citizens in this community, not the MPC, and I think we need more say-so in some of the plans that are being approved, and we've got one on first reading today, and I don't see a lot of controversy right now over it, but I'll use it as an example. We made specific --, I made a specific motion on what happened to be --, had to be done in order for that property to be rezoned. There's confusion across the total board from our Engineering, from our Inspections, from MPC, and everybody involved, and it was very simple. All you had to do was pull the minutes of the meeting and it told exactly what we had specified. Why wasn't that done? I mean, and here we get this. I don't want to make any decision on it today and I don't want any changes made until everybody on this Commission has had a chance to really read it and study it and come back at a later date and then make some recommendations on what we need to do, but we definitely need some changes made on the operation and what process we go through and what the Commission has versus what the MPC has authority to do.

Vice Chairman Thomas said, Commissioner Murray, this is for information only. No action will be taken today. Commissioner Murray said, well, I understand that. I'm just making some comments if that's okay. Vice Chairman Thomas said, yes, that's fine.

County Attorney Hart said, Commissioner Murray raises a very good point, and that's why this memo is broken down into P districts, or planned districts, and it's broken down into PUD districts because when you weave in and out of the various zoning provisions how you make a plan get to the review stage while there're very similar there are distincts in there, and I think if you look at the plan from an oversight situation from the Commission standpoint, you know, your P districts seem like on the larger plans that they have mechanisms by which at the time of zoning you can require the review of the final plan. At the same time we've got an ordinance that presently on our larger PUD's makes developers go through the preliminary site development plans under the P districts and then turn around and makes them go through the PUD districts, and how you get oversight under the PUD districts and the definition of responsibility there is probably somewhat less.

County Manager Abolt said, Dr. Thomas, gentlemen. Vice Chairman Thomas said, yes. County Manager Abolt said, if I may, only in my participation with the MPC as a deliberative body, it might be to your benefit in the weeks ahead that after you've had a chance to absorb this thorough work by the County Attorney, that you would invite, either in a workshop or some setting conducive to very free discussion, the MPC to go through this. For example, on PUD there is a proposal out there now at least being discussed to eliminate PUD's. I really think that probably we've reached a point where the general development plan is causing more problems than it's solving. I also feel that the County Commission might very well want to in the next several months decide again how much you wish to delegate in final decision to the MPC. There are some problems Commissioner Murray has indicated so well that will not go away and that the citizen, who is very confused with the process from the get-go, has only one recourse, and that's to call y'all. I don't think that's fair to you, I don't think it's fair to the citizens.

Vice Chairman Thomas said, Mr. Nutting, did you want to --? Mr. Nutting said, yes. Vice Chairman Thomas recognized Mr. Nutting.

Mr. Sid Nutting said, thank you. My name is Sid Nutting. I am here as part of the Southeast Planning --, Land Planning organization that's a subcommittee of the MPC, which is a subcommittee, I submit, of you all. On this issue of what is in the preliminary plan, which goes by different names, and the specific plan, which is in effect the final plan, has been a subject of considerable concern to us because every time we have a project come up, it appears that there is a tendency to want to move things from the initial plan into the specific plan and then the specific plan is submitted and voted on on the same day in many cases. And many times the specific plan is not given to the MPC group early enough, and certainly to the public early enough, for any rebuttal on our part, any investigation on the part of citizens' engineers or citizens' lawyers. So any suggestion that we came up with, and I think that would need some massaging on you all's part would be perhaps to have in the --, when the preliminary plan is on the table, it is --, it includes as much as you can possibly can at that time because that's the first step. But then if that doesn't do the job, then it would seem to me that from the time the specific plan is submitted there needs to be a delay until perhaps a couple of weeks until you all meet or the MPC meets again, at which time the specific plan --, those concerned about the specific plan could have reacted to it, including the staff and including you all. So in effect I'm saying move --, you don't have to change much except to move the final date on the specific plan to the same kind of time gap that exists between the preliminary plan and the specific plan. I think that would be a big help to all concerned. Now that should not be difficult for anybody to accomplish and I think it would give a lot more time. The matter of what's in the preliminary plan, the problem cited about how to develop sewerage plans and all of that, I submit that just like driving piling and doing the engineering that is a cost of the development. The citizens should not suffer because the developer doesn't want to do that. In many cases it's a drop dead issue. That is, if they cannot come up with an adequate drainage plan or sewerage plan, then they don't need to go ahead with the development of the structure or anything else, and so those drop dead issues certainly ought to be brought in early. The second thing I wanted to comment on today is that Commissioner Murray at the last meeting asked for a review by the County Attorney of the so-

called leasable plan. That was done. We think it is a great improvement over what has been out there before, and so my concern here today on this issue is that he also asked that all of that come back to you all before it was enacted, and apparently we have now received a letter which says the Kroger plan will be placed on the December 5th agenda. He, being Mr. Rauers, who represents Kroger, will take a copy of the interior plan, interior only now, which is in the process of being drawn, to the County Zoning Administrator and the attorney to confirm the leasable area based on the new definition. So what that means is that before you all meet again, this will be presented to the MPC as a finished plan, and I submit that didn't sound like what you asked to happen.

Commissioner Saussy asked, it says on the 5th? Mr. Nutting said, the letter says, and we got it from the MPC. County Attorney Hart said, we meet the 1st. Commissioner Saussy said, we don't meet on the 5th. Mr. Nutting asked, you don't? Commissioner Murray said, no, we will meet on the 1st. Mr. Nutting said, I know, but the MPC –, it says the Kroger plan will be placed on the December 5th agenda for the MPC. Commissioner Saussy said, the MPC. Okay. Mr. Nutting said, that's my point. That's before you meet. Vice Chairman Thomas said, after. County Attorney Hart said, no, it's after we meet. Mr. Nutting said, well, you meet on the 1st –. Commissioner Saussy said, and then another one after that. Mr. Nutting said, but you won't have this plan, I don't think. Commissioner Saussy said, no, we won't. Vice Chairman Thomas said, right. County Attorney Hart said, oh, the plan. Yes, I see what you're saying.

Commissioner Murray asked, is that something that's going to have to come back to us once the MPC has addressed that? County Attorney Hart asked, this is the Kroger issue? Mr. Nutting said, yes. County Attorney Hart said, Commissioner Murray, I'll just have to look at it. I can't remember –. I think they're in their –, are they in the preliminary development plan stage now? Mr. Nutting said, yes. That's all that's ever been there. County Attorney Hart said, okay. Commissioner Murray asked, and did we ever get whether they had a permit to do any of that clearing or not before the clearing was done that I requested at the last meeting? County Attorney Hart said, I don't know the answer to that.

Mr. Nutting said, let me give you the answer to that. In a decision letter from the MPC dated May 6, 1997, it stated that the petitioner is requesting a one-year extension of the April 2nd, '96 MPC decision to allow the store at the Diamond causeway. That then meant that one year was up in April 2nd of '97. The letter didn't come out until May 6, '97, so by then technically that project was dead. This is the old Food Lion plan. The finding that was put on by the MPC was that a 30 to 40-foot front yard and a 15 to 20-foot rear yard setback variance was approved on April 2nd, '96, subject to the conditions listed in the attached MPC decision. The Metropolitan Planning Commission hereby approves a one-year extension to April 2nd, '98. The permit to cut the trees was September 1st, '99. So if you didn't follow all those dates, we submit that it died back when the first expiration went out, but on top of that the cut was not made until almost a year after the extension expired the second time. Commissioner Murray said, so in other words we had an extension for one year and that extension expired and then there was a permit issued out of our Inspections Department to go in and do the clearing. Mr. Nutting said, right. Commissioner Murray asked, can y'all verify that because that just adds to that list that we've got going right now, and I don't understand it? County Attorney Hart said, the clearing was done under the original –, the clearing was ostensibly done under the original preliminary plan and I understand –. Commissioner Murray said, but if they've already –, if it had already expired –. County Attorney Hart said, yes, I understand your question. Commissioner Murray said, we should have never issued the permit to do it. Mr. Nutting said, in addition, the ordinance says that permitting for that kind of work is not to happen until there is a final plan submitted to the Clerk of the Superior Court, and as you all know, that's when the plan with all the footnotes and everything is agreed to by all parties and put on record. That Food Lion plan never got that far, and to this date there is no specific plan. So we submit that that whole thing needs to be reexamined. We're not opposed and never been opposed to developing that corner since it was zoned in 1980, but we are opposed to the fact that for all kind of reasons apparently that it's just riddled with strange things. This two-inch water line –, sewer line is very questionable and the circumstances under which that got through not only the MPC but this body, I think needs –, you need to take a good look at, and I'm not sure it was built the way it was supposed to have been built on top of that. The drawings showing its route show that it was to be put in the way that the Georgia EPD would require, that it is spaced apart, the right elevations and all of that. It shows a two-inch line going to a three-inch line. All the calculations, however, were done on a two-inch line going to a two and a half inch line, so we don't know which was put in, but anyhow there's a big variance there. So my point in all of this is let's hold this project until we can get a plan that follows the rules. The fact that so many plans do not follow the rules is part of the overload on the MPC and on you all and everybody. The route of all of that, I submit to you, is the ordinance itself, and I encourage you where any time you can advance the rewrite of that ordinance, and I don't think the staff can do it, they're loaded now and the engineers are overloaded, and this whole matter of getting that and then sticking with the deadlines that are in it so that everybody knows they follow the rules, they follow the deadlines, and then it will all move a whole lot better for everybody concerned. So with that I will expire.

Commissioner Murray asked, Mr. Newton, what will the MPC be addressing on the 5th on this project? Mr. Milton Newton said, the submittal is a –, with the general development plan. I'm sorry, it's the specific development plan. Commissioner Murray said, which means, for clarification for everybody, which means what? Mr. Newton said, which normally is the final approval before they bring in their construction drawings for permits. Commissioner Murray said, Jon [Hart], I apologize if you have sent out the information –. County Attorney Hart said, I understand. Commissioner Murray said, but I did not get back in town until last night. County Attorney Hart said, I understand. Commissioner Murray said, and have not had time to read through everything, but did we –, did you give an opinion on the leasable space? County Attorney Hart said, yes. Commissioner Murray asked, what was that? County Attorney Hart said, the MPC has an opinion on the leasable space, and that opinion basically redefines –, well, it doesn't redefine. It's my interpretation of what the statute's intent was to include areas under roof that are primarily used by that tenant for tenant purposes. At one point we had an interpretation, tentative interpretation by the Zoning Administrator that more narrowly construed what leasable space was so as to exclude, in my opinion, portions of the building that should have been included in leasable space. My concern was twofold.

Number one, we had a definition of leasable space that didn't seem to make common sense, did not seem to be as clear as it should be. If you were renting that space, you'd certainly be paying rent on it and certainly be using it. And, number two, if you narrowed that definition so narrowly, that definition is used as one of the component factors in computing the amount of parking that you have, and if you lower that number expedientially that lowers the number of parking requirements. So in order to adjust that, if we used that definition, at some point MPC was going to have to adjust the formula for parking which would then put us in the situation of having two definitions for parking and creating a lot of non-conforming uses, which we didn't want to go there. So we've rewritten the definition with some general guidelines on how we think leasable space should be calculated. The MPC is smart enough not to let me do any mathematical calculations, so I think that that definition is a workable definition and one that is consistent with what you generally find in the industry in regard to how you determine what is leasable. I don't know if Mr. Nutting has a differing opinion or what. Commissioner Murray said, if I'm not mistaken, the question on this particular project was the aisles of the place, is that right? Wasn't it the aisles in the grocery store? County Attorney Hart said, well, initially there was concern of how they arrived at it and where the aisles were eliminated, but what actually had happened, upon closer examination apparently a large storage area towards the rear had been eliminated under the concept that that may not be accessible to the public, but nevertheless every business I know needs it as a function to carry on, so we –. Commissioner Murray said, it still counts in the square footage. County Attorney Hart said, yes, we brought it back into the formula.

Commissioner Murray asked, can I make a recommendation? Not on the Kroger thing right now, because I really don't, that's not my district, and I really don't know what we can do or not. If I'm not mistaken, that's in yours isn't it, David [Saussy]? Commissioner Saussy said, yes. Vice Chairman Thomas said, excuse me. You want to ask your question before we make a recommendation?

Commissioner Saussy said, well, he might be making sense, going to make the same thing I wanted to bring up. Commissioner Murray said, mine was on this. Commissioner Saussy said, well, it has to do with that. I think Mr. Nutting has certainly brought the thing to the light that really we do need to get this zoning thing done immediately or as quickly as possible and, frankly, the MPC is overworked. Now they don't have the manpower to do it. We have got to fund this thing somehow because it is –, it hits a lot of different things in Chatham County. Vice Chairman Thomas said, yes, it does. Commissioner Saussy said, and it has to be done. We've been waiting on getting some things like this for I don't know how many years now. Even the Land Use Plan thing needs to be pushed forward quicker than it is now. If we're going to have some consistency in this County on zoning and building, we have got to get this thing done and quit putting it off. So I would like to have something at the next meeting, at least come up with some how where we can come up with some funding to do this because we need it.

Vice Chairman Thomas said, okay, we're going to –. Do you want to –? Commissioner Murray said, go ahead. I think staff wants to say something and then I'll –. Go ahead.

County Attorney Hart said, I talked about our current zoning ordinance with a number of attorneys that are in the private sector that, quite frankly, do quite a bit of zoning and –, for various clients, and I think the consensus of opinion among everybody, including staff, is that there are some areas in our zoning ordinance that absolutely need to be addressed just from a clarity standpoint. I do think it's –, it is going to be a very time consuming task insofar as if you go through a P district and you go through a PUD district, you're talking about a hundred pages of zoning, okay. And so that's going to require an extensive amount of input of time, which I think staff is more than willing in spirit to commit to. The practicality of doing it may be another issue, but in addition to that, before you even get to that issue, I think this memo needs to be shared with the MPC Board members and there are some very fundamental policy issues about what kind of zoning ordinance you wish to have. For example, the County Manager brought forth the issue on PUD. Most large communities have those, but the question becomes do you want to have a general development plan that basically is a concept plan where you don't go into a great amount of detail and later go into a lot of detail on the specific plan, or do you want to do the reverse of that? Do you want to have a general plan that requires tremendous amount of detail on the front end so that on the rear end when the final plan comes in, it more or less becomes a check list of yes I have, yes I have, yes I have, and those are issues that, you know, you need to –, we need to talk about and get some direction from to know where to go to.

Commissioner Saussy said, I think –, I think there are a number of people on the MPC Board, as well as the staff probably, that really would like to see this thing done quickly.

Vice Chairman Thomas recognized County Manager Abolt.

County Manager Abolt said, Dr. Thomas, if I may, respond to Commissioner Saussy's question and your options for particularly financing. To recount the history over the last 18, 24 months, you had a request from the MPC to fund this effort. In budget priorities it was not able to be addressed. You did ask them to look at what they could do without and, in fact, make this their number one priority with the resources they now have. That is extremely difficult for them to do. I concur and would strongly argue in favor of doing this with existing resources, not from the standpoint of let other things fall off the table, but when we approach this and when hopefully you have your meeting with MPC, I would argue that the work should not be done by a consultant in the driver's seat. The work should be done by key staff, a representative of the County Attorney's office, a representative of certainly MPC, a representative of the Zoning Administrator and also on the part of the City of Savannah. A team that in effect is augmented by inquiries of a consultant so when all is said and done and the project will take probably a year to a year and a half to complete, it's our project that we know what's in it, we do not have

to require further interpretation from the consultant. I've had the experience of working with that in another jurisdiction. It is the only way to go. I do not want in my estimation to delegate this to a consultant. Now how we manage that is, and in fact as I've asked the MPC to look at is, what falls off the table if those resources are devoted in the manner I've described? They're going to do that, but as the attorney has asked and I will ask again, I think it's real important because you have a very good MPC, one of the best MPC's I've worked on in all the years I've been here, highly motivated men and women. I would suggest that before you predispose yourself to a decision, you afford them the opportunity to go over what the attorney has prepared today and also to listen to these people.

Commissioner Saussy said, I don't have a problem with that at all because I want some movement on it. County Manager Abolt said, yes sir. Commissioner Saussy said, and I don't want to wait till three months from now for it start. I want it to start now. County Manager Abolt said, it's your call. It's your call.

Vice Chairman Thomas said, okay, Commissioner Murray and then [Youth] Commissioner Connor and those at the well.

Commissioner Murray said, I agree with both the County Attorney and the County Manager with this and these recommendations, but I also agree that when we start putting this together, and I hope it's soon also, that the Citizens Advisory Committee will be involved in that input and it won't just be staff people doing it, but we'll have the citizens in the community involved. Mr. Nutting I would recommend serving on that committee, and I'd also recommend that he gets a copy of this also. He's been involved in it totally. I think he needs a copy of it, and I agree the MPC needs copies of this, your opinion, but again some changes do need to be made, and I would say that I probably disagree with the drainage part of it. I think that should be a part of the first process we go through, and you didn't say it shouldn't be, but you didn't say it should either. So -, but I think we all need time to go through this and study it a little bit, but I do think we need to put that group together and go ahead and start, and I would even say I know that the MPC is short about \$80,000 if all the calculations go correctly through the 12-month period. I would even recommend that, if necessary, and we can look at it later too, that we put half of that in from the Special Service District Contingency if necessary.

Youth Commissioner Connor asked, what is the MPC? Commissioner Murray said, Metropolitan Planning Commission. It does all the zoning and stuff for the Chatham County Commission -, unincorporated area and the City of Savannah and, if I'm not mistaken, Tybee contracts to y'all now, don't they? None of the municipalities contract to you? [No audible response was given.] Commissioner Murray said, so it's funded -, half their budget is funded by the City of Savannah and the other half is funded by Chatham County. Youth Commissioner Connor said, thank you.

Mr. Nutting said, just to finish, it seems to me that you don't need to with this committee -, that's probably a good thing to have an in-house committee that oversees this project. I submit that if they -, you all told them a year ago and maybe eight years ago to do this on their own, and the problem is they just simply can't get to it and handle the existing business too. So do have the committee and don't try to reinvent the wheel. There are many manuals and many organizations out there for all the municipalities in this country that have developed a plan that are good models, so you don't have to use any one of them as it is, but you also don't have to start from scratch. Commissioner Murray said, Mr. Nutting, that's why I recommended you serve on that committee. Mr. Nutting said, the final thing, and then I'll yield, I still have the problem with the 5th. The MPC is going to get some version of this story. When -, and supposedly they will have come to Mr. Hart with the plan to see if it fits the internal layout requirement of leasable space. If it doesn't, however, shrink the whole store, then it's too big for the site, and here again the specific -, that will be the specific plan, and the specific plan will be shown to the MPC, shown to the citizens and passed on on the same day, and I submit that is not right. This project needs to go back to the MPC in toto and given time for that to be reviewed.

Commissioner Murray said, when, I think, at our last meeting it came up and we were told we could only recommend that MPC table that, which they did at their last meeting. Now I don't know if we can do both of that or not. County Manager Abolt said, well, I'll defer to the attorney on that, but what actually happened was the applicant withdrew what was only a portion of what was the development plan for this, so in effect, unless something has been filed since that, I cannot comment with accuracy on what Mr. Nutting referred to, though obviously he's very aware of what's going on, but essentially what happened on the MPC agenda was not as you requested because the developer had pulled it away from the MPC to discuss. Commissioner Murray asked, oh, the developer pulled it? County Manager Abolt said, yes sir. Commissioner Murray said, rather than the MPC pulling it. Mr. Nutting said, well, apparently he's going to bring it back as the specific plan on the 5th. Supposedly by then he will have gone to Mr. Hart with it, and not to you.

County Attorney Hart said, well, there's two things. Number one, if he's going to bring a specific plan, he's going to have to bring a specific plan that meets our definition of leasable space. That's number one, or else the MPC will recommend denial of the plan, okay. That's number one. Number two, I don't know the status of whether he's got an approved preliminary plan or not based on what I'm hearing. I'm hearing two different things, but if there is not an approved preliminary plan, he is going to have to bring that preliminary plan back and get it approved before he moves to the next step of a final plan. So that's an issue there. If in fact he submits it as the final plan and the MPC so finds that there is something that needs to be reviewed at that point in regard to seeking legal advise, they could refer it to the County Attorney's office for consideration of those issues, but I think the MPC is going to be looking at that plan fairly close and without question even though the shape of that particular piece of property is -.

Commissioner Murray asked, can you make sure that all the people involved get a copy of your opinions on this? County Attorney Hart said, sure. I've already talked with Mr. Nutting about that yesterday.

Mr. Nutting said, may I, one last thing, and I promise you I won't belabor the problem. We find that the MPC, who I think you all created some years ago, feel that there's a lot that they cannot do. For instance, they get into anything with engineering in it, they are told by some of their members and the staff that they're not engineers, therefore it must be passed on to the engineering departments, and I would concur with that. However, they make a lot of decisions that are affected by what the engineers do. They —, it would be like serving on a jury. They are the deliberative body that needs the input of all the technical resources that are available to them, but it needs to come back to them and not be solely referred to either legal or otherwise. In the case of a jury, you listen to two lawyers, one on each side, but the jury decides, and that's what the MPC needs to do for you. It keeps you from having to hear all of these cases. They need to hear both sides of all the arguments and all the technical data and then decide, and I don't think you all have given them the instructions they need as to what their powers are, and you'll see it in many occasions where they refer it either to the staff or otherwise, but it does not come back to them. The final points on the issue before us with this thing, the specific plan is at this stage not in —, a lot of it is not to come back to them. They're to get a question of brick on three sides of the building and the signage, but there are many issues still open that have been supposedly handled by the technical support group, and they will never see it again, and it may change their whole outlook if it came back to them. So I would encourage y'all, particularly if you get into rewriting the zoning and trying to fix this whole thing, to clarify what it is you really want them to accomplish on your behalf. Now, excuse me.

Vice Chairman Thomas asked, Commissioner Saussy, do you want to speak to it first?

Commissioner Saussy said, yes, well, I just wanted to say, with this thing coming up on the 5th, we're not going to get anything on it. We won't get anything on it I suppose if it passes MPC. Right? County Attorney Hart said, well, it depends on if that's the preliminary plan or final plan, I just don't know. Commissioner Saussy asked, well, what is it though? I mean, that's —. If it's the final plan, then we will not get it.

Commissioner Murray asked, we can't say that —, we can't say that we want that plan to come back to us before an approval is made? County Attorney Hart said, I just don't know what we did at the time of zoning. I'm getting asked a lot of questions that I'm just not —, in the context of today, I'm not familiar. I'd be glad to look at it, but —.

Commissioner Saussy said, well, what I'm saying is if this thing gets to the point where we can't do anything about it one way or the other and look at it, then this is going to get passed and we won't have any say-so about it. Right? County Attorney Hart said, well, I know there's a water and sewer issue out there outstanding now that the Engineering Department still has to —. Commissioner Saussy said, but that's only part of the issue. County Attorney Hart said, yes sir. Commissioner Saussy said, if the MPC approves it on the 5th, then it's a done deal.

County Manager Abolt said, I'll have to defer to Mr. Newton on what the that is because, as I said, the application was withdrawn. I was under the impression it was still a general development plan. If something's been changed, we want to know about that, but as Mr. Nutting said, you mentioned about water and sewer, I talked to Mr. Bungard about this and you certainly are well aware of the limitation in Engineering, the Engineering Department really is made up now of Mr. Bungard and Mr. Grevemberg, and that's it. When it comes to issues like you're raising, we have relied not just because of the sparsity of staff, we required the engineer for the developer to put his stamp on the line and say it will work. We don't re-engineer it.

Vice Chairman Thomas said, Mrs. Heimes, thank you for being so patient.

Mrs. Marianne Heimes said, my name is Marianne Heimes. I'm a member of the Islands Citizens for Logical Growth. I just —, I'd like to reiterate what Mr. Nutting has said. I'd like to point out that I have been on the Islands Land Use Plan Redo Committee for, what, four years now. We're getting closer, but I would like to request a copy of Mr. Hart's report, and I would also like to say that three years ago six citizens went to the Inspections Department and put money on the table asking for a rewrite of the zoning ordinances. Now, you know, I think if the citizens are willing to put —, it would cost us \$100 to get the request made, if your citizens are willing to do that, somehow you've got to be willing to give us something. That was three years ago, and I think it gets more and more in need of being done. The zoning ordinance book is this thick, it's very confusing, and there are so many loopholes in it that nobody really knows what will happen until the day that you go to the MPC meeting. So that would —, I would particularly like to request that report. Thank you.

Vice Chairman Thomas said, thank you. Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray said, yes. I appreciate all the comments, and it's obvious that we need to make some changes and we need to move with it as quickly as possible, and I know that MPC is underfunded and underpersonnel right now, but we need to come up with some way that could be done, and I think these organizations, citizens organizations should be involved in it. But that is one issue. The other issue, Russ [Abolt], that keeps coming up every meeting is something else comes up that Inspections has approved something, and if what Mr. Nutting was saying, and I have no reason to doubt that he's not right, then we've got another issue which should have never been a permit given to clear the trees, and the last meeting we had something that came up that was done, and then the meeting before that, and it keeps going on and on. I know y'all got a plan you put out that you corrected all these things, but I don't see it happening. County Manager Abolt said, yes sir. First of all, this land clearing that's in Engineering. Commissioner Murray said, well, Engineering, Inspections, wherever it comes from. County Manager Abolt said, yes sir.

Mr. Ernie Friedman said, my name is Ernie Friedman. I do approach the well here with some trepidation since I'm a member of two of the —, at least two of the nefarious groups: one, I'm a lawyer and, two, I'm a developer. But I heard a couple of things today that I just want to make a very brief comment. One, was your attorney mentioned that in the course of his review he had discussions with a number of attorneys who specialize in zoning matters, so I hope as you put together your group, whatever it is, to study the revision of the zoning ordinance that you will include in that group representatives of the legal profession in Savannah for a good lawyer can understand a lot of things about zoning matters and I think that's what Mr. Hart was referring to. Secondly, as you think about other groups, citizens groups and so forth, that you also consider including developers whose livelihood is in this —, is in development as legitimate members of a study commission. Commissioner DeLoach mentioned much earlier in this meeting that you built a highway and spent millions and millions of dollars on a development highway in order to encourage development in certain parts of the County, and I think, you know, the money was well spent, but as you go forward then in trying to control and direct development, that you include in those who are responsible for making recommendations to you the profession or occupation, whatever you want to call it, of people who actually do that work.

Commissioner Murray asked, can I ask you a question? Mr. Friedman said, yes sir. Commissioner Murray asked, do you think that the citizens in this community should pick up the bill for the developers? Mr. Friedman said, absolutely not. Commissioner Murray said, well, that's what's happening right now in a lot of cases. Mr. Friedman said, okay, let me —. Commissioner Murray said, and that's why we want to go through this process and make sure that does not continue to happen. Mr. Friedman said, let me show you how —. Commissioner Murray said, on top of that we are being sued by the developers right now. Mr. Friedman said, well, okay, I think —. Commissioner Murray said, you can work in a lot of different ways, so keep talking. Mr. Friedman said if I could address both of those. First of all, on the issue —, first issue which has to do with requirement to —, for certain specific, like you talk about the storm drainage and the spending of money to do that, there are many projects, and I don't know what the percentage of them are, that die, that are not actually born when you go through the general development process. Now I think the general development process is really a good process because it gives everybody, the developer, the public, government bodies like yourself, the Metropolitan Planning Commission, an opportunity to look at an overview of proposed development to see if it has basic feasibility without costing anybody the money that is required once you get to a specific development plan and have to provide detailed engineering drawings. So I think the division of responsibility between the general development plan and the specific development plan are good. I don't think that's where the problem lies. I think the problem lies somewhere in the administration and a clearer understanding of what is expected of everybody, and a part of what you undertake to do is to establish a more well defined list of this is what you have to do for general development plan, this is what you have to do for a specific development plan, I think you could perhaps avoid a lot of that discussion. In either case, the developer pays for those items of cost. Ultimately, the consumer pays for those items of cost. So that would be the answer to your first question, and tell me the second question again because I —. Commissioner Murray said, well, I think the second was just more of a comment rather than a question, the developers are suing the County Commission right now so, you know —. Mr. Friedman said, yes, thank you. In all fairness —. Commissioner Murray said, excuse me, the homebuilders, which are the developers over the fee structure to keep the citizens from having to pay the bill. Mr. Friedman said, both parties are villainous groups, no question about it. And I do think this, and this is a gratuitous comment, the Metropolitan Planning Commission is one of the most important planning agencies in this County. Commissioner Murray said, well, I agree with that. Mr. Friedman said, and to some extent they are a stepchild rather than a full —, as I see it at least, a full grown child of this organization, and so the requirement that they sort of pay their own way to some extent is at the heart or the root of the litigation that goes on —, that is going on now. I think that had there been a better intercourse between the homebuilders, this body and the Metropolitan Planning Commission, some form of devised system of fees and so forth might have come out of that, you know, and which litigation might have been avoided. I know there were discussions because I was present at them, Mr. Abolt was present at them, and there were times when there was just loggerheads. The Commission was taking one point of view —. Commissioner Murray said, you see, there's one problem with that scenario also. You've left out the citizens. You've got the developers and homebuilders and MPC and County staff, but you don't have the citizens of this community. Mr. Friedman said, I'm sure they were they. I mean, I'm sure they were included in that group, as they ought to be included, but all I'm saying is that as we —, as you go through this process, try to get as much input as you can. It does not mean that you are going to satisfy all the groups with what you do, but at least you have the benefit of diverse points of view because the developers do have a legitimate point of view, just as special interest citizens groups have a legitimate point of view. And that's how we figure it. Commissioner Murray said, I won't make any more comments for now.

Vice Chairman Thomas said, thank you. We have two persons. Would you please step up to the well and give your name.

Ms. Flo Roberts Osteen said, thank you. My name is Flo Roberts Osteen and I am the President of Homeowners for Better Builders for the State of Georgia. We are a national organization. We have 22 states, and we are working toward national legislation to protect homeowners, possibly a homeowners bill of rights. We're finding out that the states are not really doing their job to protect the homeowner. They're letting the developers and the builders get by with too much. I guess if you've all been watching television with the election returns, you hear the word standard a lot, and you don't hear anything about laws, and I'm speaking from personal experience. You go to court over your home and the first thing that the lawyers start flying at you, well what are the standards. I thought that Chatham County —, I was born here, I moved away for 20 years, I've lived in seven states, I thought Chatham County had building code laws. I mean, correct me if I'm wrong. Are they building code standards or are they building code laws? Now I don't really understand that and I would like some good lawyer to explain to me the difference when you go to court and you think you have the law on your side why they apply these standards. I mean, you could apply this to the speed limit. You could apply this —, just take down all the speed limit signs and let everybody go 90 miles an hour all over Savannah or either just have the police sit there and figure out what the standard is to drive through Savannah. It's the same thing, no difference at all. Now I'm going to be brief. I feel that the

County Commission whenever a developer or contractor, a subcontractor, real estate agent or developer, whoever is causing that construction, whoever is making that construction happen, sign an agreement with Chatham County Commission that they agree to obtain a copy of the current building code laws, and I'm talking about the CABO codes, the hurricane codes, how high you're supposed to build that house, where you're supposed to build that house, make sure that the land underneath it is proper for building, that someone hasn't just bulldozed some trees under there and then 10 years later, or 15 years later like Weatherwood and these poor people out here on Suncrest are having to worry about methane, and we're worrying about methane right now going right to the power station out on Wilmington Island. This is the kind of thing I'm talking about. This is abuse. That they agree to sign an agreement with Chatham County contingent on approval that they will adhere to these building codes, these hurricane codes, and they will make sure that all of the inspections are done, and I'm not talking about just final inspection. You know, they'll go out there and just say to the building, that lumber you have there sitting on the ground, that plywood, are you going to put it in that house, and then approve it and walk off. This is the kind of thing that's going on in Chatham County. That they inspect these houses properly and that they make sure, beginning with the foundation all the way from the rough-in final inspection to the certificate of occupancy. Now you have to have a certificate of occupancy legally in the State of Georgia to close your first loan on a house. There are a lot of certificates of occupancy not even on file and neither are inspections. That they be kept in the courthouse and provided to every new homeowner and any subsequent homeowner or home buyer, that that person causing the construction will make sure that he assumes the responsibility for any structural or mold problems, protecting the homeowner from housing fraud and, most of all, protecting the health and safety of the homeowners in Chatham County, and that is a request. I don't know how legally you can word this or do this, but this is just a preventative suggestion so y'all don't have to go through lawsuits, so the homeowner doesn't have to go bankrupt going in the courts and, you know, wasting five, ten, six years of their lives. It's not fair. It's just not right to do the homeowners of Chatham County this way. I've said my peace and I hope you will take this in the way that it is intended, and this is just to protect every homeowner in this town. Thank you.

Vice Chairman Thomas said, thank you. Okay, please –.

Ms. Brenda Tomlinson said, I'm Brenda Tomlinson and I'm a homeowner in the Sixth District. I'm personally very interested in the subject matter that y'all brought up. Back in February of '99 I contacted my Commissioner, Ben Price, and since then consequently I have provided some information to all Commissioners, all the Board of Commissioners about some of my concerns. As you talk about all of the projects and the things that need to be done as far as your land use and the codes and the updates, there's various terminologies for all the things that you're discussing. I know there's a cost and it's always a cost to the taxpayers, whether they're homeowners or the developers, and I support all of this as far as getting it in place, but I want to go on record here November 17, 2000, we are still having some serious problems with the inspections process in this County, and all of the work that you do at taxpayers' expense to come up with the legislation and the various things that are mandated and required, to go through this process are worthless if one area of this, especially Inspections, fails to do the job correctly. It's for nothing. Sort of a pretend program. So I want to ask you today very seriously to pursue it diligently, that the inspections process is performing adequately in this County. This is about health and safety more than it is about money, but it is also an astronomical thing when you're talking in terms of money. Thank you.

Vice Chairman Thomas said, thank you, Ms. Tomlinson. Okay, where do we go from here?

Commissioner Murray asked, Jon [Hart], can you when you put those out –, Russ [Abolt], does the Commissioners-Elect now, since the election's all over, do they get the same packets too, will they get information? County Manager Abolt said, they'll get –, starting in the month of December, which is close to the [inaudible] month will be redundancy. We plan to give a complete packet to the Commissioners-Elect. Commissioner Murray said, and I think they certainly need these opinions from the County Attorney so they can start reading over them also.

County Manager Abolt said, yes sir. You're absolutely correct, sir. If I may, on the comments of the two ladies, which was very well taken, much taken to heart, as I believe all the Board members do know, we'll be coming forward with a package of recommendations. Two top priority recommendations certainly from me from observing what we're doing in the field, very key, licensed general contractors. If they don't perform, pull their license. Do not allow lending institutions to, in effect, close on a loan unless there is a certificate of occupancy. Those are the two issues I think in the past were certainly something where if it had been in place, there would have been a –, we would not have had the problems we have to a large extent. One will require certainly legislative change. I will come to you with a full package of recommendations before the end of December.

Commissioner Murray asked, can you clarify something? Jon [Hart] said, yes sir. Commissioner Murray asked, what is the difference between a zoning ordinance and a zoning law? County Attorney Hart said, well, there's a zoning statute, there's a zoning statute that's under the general act. There's a zoning ordinance and the statute –, the State statute says –, it's got eight provisions, but basically it boils down that says every county in the State shall set forth their minimum standards in an ordinance, and so our ordinance is the local law, and most zoning issues, unlike most everything else in the world, the law actually leaves that to the local bodies to decide what kind of land use plans they have as long as they don't violate the Constitution and the taking provisions and the other provisions that you oftentimes hear about.

Commissioner Murray asked, what time are we supposed to go down to Florida and help them count votes? Vice Chairman Thomas said, it's past time.

County Attorney Hart said, Madam Chairman, Mr. Nutting has requested to be recognized on one other issue. Vice Chairman Thomas recognized Mr. Nutting.

Mr. Nutting said, I'm still worried about December 5th. Vice Chairman Thomas said, yes, I was about to ask about that. Mr. Nutting asked, may I ask you all to do something, but the least of which would be to ask the MPC to consider –, not to consider this as a specific plan when it comes back because there's been a fundamental change in the leasable definitions, and it needs to be delayed, I think, until you all see how on an example case this is applied, and I would ask you that that be done in the name of a lot of citizens that are going to be damaged badly if this thing goes ahead with this big store on a this little bitty lot. Vice Chairman Thomas said, thank you.

Commissioner Murray said, I would certainly support that if we have legal grounds to do it. County Attorney Hart said, you have the right to request the MPC to consider that versus telling them to. Commissioner Rivers said, so moved. Commissioner Saussy said, I'd like to move that. Commissioner Rivers said, second.

Vice Chairman Thomas said, all right, we have a motion and a second to ask the MPC to consider those suggestions that were given today. Commissioner Odell said, discussion. Vice Chairman Thomas asked, discussion? Commissioner Odell said, yes. I'd like to hear what Milton [Newton] has to say.

Mr. Nutting said, let me –, one other subject. When you all consider the gas line, check the depth under the river for those two old lines. You know, we've had some [inaudible] over there for dredging purposes.

Mr. Milton Newton said, I'm not going to comment on your –, the action, but I would point out that when the Planning Commission approved the general plan, it was subject to it being brought into compliance with the definition, and when the specific plan is brought back it will have to be in compliance with that new definition or it will not be –, it will not be approved. We would want to check with Jonathan [Hart], Mr. Hart later to make sure that we're not in any trouble with legal deadlines or anything of that nature. Commissioner Murray said, so if we all understand correctly, all this is going to be on the back of the County Attorney, is that what you're saying? Mr. Newton said, I guess. County Attorney Hart said, thank you. Commissioner DeLoach said, yes, that's what I hear. Commissioner Murray said, yes sir.

Commissioner Odell said, I have an additional question. Mr. Abolt? County Attorney Hart said, I don't want to interrupt you, sir. You go first. I defer to you, sir. I'm so humbled by that –. Commissioner Odell said, I was acknowledging you. County Manager Abolt said, I look forward to looking to you for the next four years for guidance, and so please, if you would, I'm in awe. Commissioner Odell said, please speak, Mr. Abolt.

County Manager Abolt said, thank you, sir. I apologize for being flip. You might, realizing the legal issue we're dealing with here, may I suggest that in your motion to MPC you would ask them to defer a decision again like you did before. That might allow them to, in effect, do what they have to do legally, so what you would ask them to do is not make a final decision on the 5th of December on that matter. Commissioner Rivers said, we're relying on your, Mr. Abolt, to [inaudible].

Commissioner Saussy said, that was my motion. County Manager Abolt said, yes, I would like to have the weight though off of [inaudible]. Commissioner Murray asked, you will be at the meeting, won't you? Commissioner Odell said, I release the floor.

Vice Chairman Thomas asked, okay, is that the motion? Commissioner Saussy said, that's the motion. Vice Chairman Thomas asked, the motion that was made? Commissioner DeLoach said, that's it. Vice Chairman Thomas asked, any further discussion? Hearing none, please vote. Commissioner Murray said, I don't know if I want to sit through another [inaudible] The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.] Vice Chairman Thomas said, the motion is carried. Thank you.

ACTION OF THE BOARD:

Commissioner Saussy moved to request the Metropolitan Planning Commission to defer a decision on December 5, 2000, on leasable space. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

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County Manager Abolt said, Dr. Thomas, if I may, about 35 or 40 minutes ago Commissioner Murray asked how much money was remaining in the SPLOST project heretofore designated as the flyover at U.S. 80 and Johnny Mercer. I'm told by Mr. Bungard, corroborated by Finance, there's \$6.1 million left in that. Commissioner Murray asked, left in that account? County Manager Abolt said, that's what I'm told by Mr. Bungard. Commissioner Murray asked, it has not been transferred to Hutchinson? County Manager Abolt said, no. No sir, there's –, the balance has been transferred, but no sir. Commissioner Murray said, okay. Thank you.

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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.)

Vice Chairman Thomas said, we're ready to go to the Action Calendar.

Commissioner DeLoach said, I make a motion we approve Items 1 through 6-L. Vice Chairman Thomas said, 1 through 6-L. Commissioner Jackel said, I'd like to pull 4. Vice Chairman Thomas said, just a minute. He's pulling 4. Commissioner Jackel said, J. Vice Chairman Thomas said, pulling J. Commissioner Odell said, and 3. Vice Chairman Thomas said, 3. Commissioner Odell said, he also wanted 3. Commissioner DeLoach said, 3, 4 and J. Vice Chairman Thomas said, 3, 4 and J.

Commissioner DeLoach said, Madam, I move to approve all the other items. Commissioner Murray said, second. Commissioner Rivers said, second. Vice Chairman Thomas asked, any discussion? Please vote. The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

ACTION OF THE BOARD:

Commissioner DeLoach moved that Items 1 through 6-F of the Action Calendar be approved in their entirety with the exception of Items 3, 4 and 6-J. Commissioners Murray and Rivers seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

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

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1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON NOVEMBER 3, 2000, AS MAILED.

ACTION OF THE BOARD:

Commissioner DeLoach moved to approve the minutes of the regular meeting on November 3, 2000, as mailed. - Commissioners Murray and Rivers seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD OCTOBER 26 THROUGH NOVEMBER 7, 2000.

ACTION OF THE BOARD:

Commissioner DeLoach moved that the Finance Director is authorized to pay claims for the period October 26, 2000, through November 7, 2000, in the amount of \$4,901,362. Commissioners Murray and Rivers seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

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3. REQUEST BOARD ADOPT THE 2001 HOLIDAY CALENDAR.

Commissioner Odell said, that was Jackel. Commissioner DeLoach asked, Martin [Jackel], what you pulling --. Commissioner Jackel said, no, I didn't pull 3, I pulled 4.

Commissioner Murray said, so moved. Commissioner DeLoach said second. Vice Chairman Thomas said, all in favor. The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

ACTION OF THE BOARD:

Commissioner Murray moved to adopt the 2001 holiday calendar as follows: New Year's Day - January 1, Martin Luther King, Jr. Day - January 15, George Washington's Birthday (President's Day) - February 19, Memorial Day - May 28; Independence Day - July 4, Labor Day - September 3, Veterans Day (Observed) - November 12, Thanksgiving (2 days) -

November 22 and 23, Christmas Eve - December 24, and Christmas Day - December 25. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

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**4. REQUEST BOARD APPROVE AN AMENDMENT TO THE AGREEMENT WITH THE CITY OF SAVANNAH TO RELOCATE CERTAIN WATER AND SEWER LINES FOR TRUMAN PARKWAY, PHASE III, WHICH INCREASES COUNTY PARTICIPATION FROM \$431,000 TO \$671,529.
[DISTRICTS 1 AND 3.]**

Commissioner Jackel said, I just want to know why all of a sudden we're having to spend \$200,000 —, more than \$200,000 than we originally were. County Manager Abolt said, you'll note in the Facts and Findings the staff —, consultant for the City of Savannah completed the plans and the City recently solicited and took bids. The low bid substantially overran the estimate. Commissioner Jackel asked, is this something that we need —, is this so far out of line that we need to rebid this? I mean, this is costing us 50% more than we anticipated.

County Engineer Bungard said, well, we rely on the City of Savannah Water and Sewer Department to make the estimates, and we were required by GDOT to have the utility relocation agreement in place before we bid, so they go do their measures, their estimates, and they give us an agreement and proposal. They go out for bid and they find certain discrepancies, and they come back to say this is the best we can do, and it's not the first time it's happened.

Commissioner Jackel said, I'm just very concerned about that large a variance. That just doesn't sit well with me. I don't want to approve it until I have some better explanation of why there's such a substantial variance.

Commissioner Saussy asked, this was a bid situation or what was it? County Engineer Bungard said, I think all the above. Their staff makes estimates. Estimating is not an exact science. Commissioner Saussy said, well, if their staff makes estimates, then let them pay for the low estimate.

County Manager Abolt said, if I may —. Vice Chairman Thomas recognized County Manager Abolt. County Manager Abolt said, Mr. Bungard is being very reserved in his comments, but from the beginning of our SPLOST projects when it came to utility relocation, unfortunately it is not uncommon in working on matters like this, and certainly the City of Savannah is familiar where we pay substantially more for estimates, and primarily it's in the area of water and sewer. As you recall, we did make some major investments on President Street. When it came to Phase II of Truman Parkway, it almost was a blank check, and when we're about making these projects and putting them together, and I do not want to be excessive in my comments, but by and large the County has been relegated to a position of writing a blank check.

Commissioner DeLoach said, well, I move for approval. Commissioner Odell said, it feel so good to have a blank check. Vice Chairman Thomas said, there's a motion on the floor. Is there a second. Commissioner Odell said, I'll second it so it can be heard. Vice Chairman Thomas said, okay. Discussion?

Commissioner Saussy said, yes, I just —, frankly, I just can't see us having to pay this much for the thing. It's not our mistake. Commissioner DeLoach said, well, it doesn't matter. We're the cash cow. Commissioner Saussy asked, we're the cash cow? Commissioner DeLoach said, yes. I mean, the City of Savannah's not. This is our project. Commissioner Saussy said, I don't agree with that. Commissioner Jackel said, but the problem comes in —. Commissioner DeLoach said, relocation. I mean, that's part of our responsibility, period. It's not the City's. They gave us an estimate that was screwed up and we can't do anything about that. We just have to suck it up and take it, but the fact of it is we're responsible for relocating all utilities.

County Engineer Bungard said, I have a —. Vice Chairman Thomas recognized County Engineer Bungard. County Engineer Bungard said, and there's one item, I don't remember the exact dollar amount, but there's a new requirement that came up and it's down as the removal of abandoned lines. That's a new State law. That was omitted from the original estimate in its entirety. I think that's the biggest part of it.

Commissioner Odell said, oh, it wasn't required at that point when they estimated —. County Engineer Bungard said, to remove, or the staff just overlooked it, I'm not sure, but you cannot anymore just abandon utility lines. You must take certain measures. In case they —, they figured out the best thing to do is to remove it in its entirety, which supplements the agreement. Commissioner DeLoach said, that's a good idea. Commissioner Odell said, I don't think we have an option but to do this.

County Manager Abolt said, I don't want —, in the explanation, which I appreciate, I don't want to underestimate or under —, doing anything but underscore what Commissioner DeLoach said. When we're out building these roads we've got a responsibility to relocate utilities, and when that comes out —, and I hate to use the word term again, a blank check, but we've found ourselves repeatedly spending hundreds of thousands of dollars more than initially estimated.

Commissioner Jackel said, well, that's what I'm concerned about. I mean, somewhere we have to say we need realistic estimates from you people. Commissioner Odell said, I think we can say that, Martin [Jackel], but I think for this agenda item the option most —, the logical option is that we approve it. There's no other option. Commissioner DeLoach said, and the abandoned lines were not included in the original bid. I mean, throws it up anyway.

County Manager Abolt said, but you also get yourself in the crack —, and I don't mean to use street language, but you find yourself in a position where a utility, in this case the City of Savannah is the utility operator, in their minds say that there's

going to be excessive damage beyond what their rate payer should pay beyond the initial estimate. We end up paying for it.

County Engineer Bungard said, I used a phrase a few minutes ago, I had a general officer who wants to beat up on me and he said how come your guys can't estimate projects right, and my answer was, well, if estimating were an exact science, we wouldn't need the competitive bidding process. Where there's any kind of project in the world, engineers sit down and come up with estimates assuming certain overhead profit margin methods of construction. Let's take a look at Truman Parkway that Beaux Brothers did. They came in way under the government estimate and way ahead of schedule because they used a different construction process. Engineers use a certain procedure. They might -, on line they might do jack and borers, they might do cuts. There's various ways to do projects, and in this case the low bidder happened to be a little higher than the City of Savannah's utility department estimated it would cost. That's often a big part of it.

Commissioner Saussy asked, but 50% higher? County Engineer Bungard said, I can't say -, I mean, I can go back to the numbers, but I'm pretty sure a large part of this was remove the abandon line, which simple was omitted from the original estimate.

Commissioner Jackel said, well, I would like to have a better -. I understand somewhere down the road we're going to do that. I just want to send some sort of message by us seeing the figures before I can vote for it. Commissioner DeLoach said, that's logical there. Commissioner Saussy said, well, it's not going to make any difference, but I'm going to vote no. Commissioner Jackel said, well, I'm going to vote no until I get the numbers.

Vice Chairman Thomas asked, no further questions? Okay, then please vote. Vice Chairman Thomas and Commissioners Rivers, Murray, Odell and DeLoach voted in favor of the motion. Commissioners Saussy and Jackel voted in opposition. The motion carried by a vote of five to two. [NOTE: Chairman Hair and Commissioner Price were not present.] Vice Chairman Thomas said, all right.

ACTION OF THE BOARD:

Commissioner DeLoach moved to approve an amendment to the agreement with the City of Savannah to relocate certain water and sewer lines for Truman Parkway, Phase III, which increases County participation from \$431,000 to \$671,529. Commissioner Odell seconded the motion. Vice Chairman Thomas and Commissioners Rivers, Murray, Odell and DeLoach voted in favor of the motion. Commissioners Saussy and Jackel voted in opposition. The motion carried by a vote of five to two. [NOTE: Chairman Hair and Commissioner Price were not present.]

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- 5. **REQUEST BOARD APPROVE A LICENSE AGREEMENT TO ARAMARK UNIFORM SERVICES, INC., FOR ACCESS TO PROPERTY IN RUNAWAY POINT PARK LOCATED IN THE VICINITY OF CAUSTON BLUFF ROAD IN ORDER TO PERMIT TEST OF SUBSURFACE WATER CONDITIONS.**
[DISTRICT 3.]

ACTION OF THE BOARD:

Commissioner DeLoach moved to approve a license agreement to Aramark Uniform Services, Inc., for access to property in Runaway Point Park located in the vicinity of Causton Bluff Road in order to permit test of subsurface water conditions. Commissioners Murray and Rivers seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Computerized traffic sign graphic system	Public Works	Advanced Digital Cutting Systems (sole source)	\$15,600	SSD - Public Works

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
B. Declare vehicles as surplus and authorize sale at public auction	Fleet Operations	N/A	N/A	Revenue Producing
C. Change Order No. 13 to the contract for HVAC replacement and renovation at the Judicial Courthouse to modify 6 th floor ductwork	Building Maintenance and Operations	Erickson Associates	\$4,126.10	Bond Proceeds - Judicial Courthouse HVAC Replacement
D. Air compressor	Public Works	Prime Equipment Company	\$11,915	SSD - Public Works
E. Change Order No. 1 to the contract for the reconstruction and paving of President Street for an asphalt mix change as recommended by GDOT	SPLOST	Carroll and Carroll, Inc.	\$69,250	SPLOST (1993-1998) - President Street
F. Contract for engineering evaluation of existing electrical power for the Judicial Courthouse	Building Maintenance and Operations	Rosser Fabrap	\$24,750	Bond Proceeds - Courthouse Improvements
G. Reject all bids received for the construction of the new Mosquito Control facility at the Airport	Mosquito Control	N/A	N/A	Airport Commission Financing - No debt service payment budgeted in FY 2000-2001.
H. Contract to provide a master plan for 20 acres (Parcel 7) on Hutchinson Island	SPLOST	Lott+Barber Architects	\$19,995	SPLOST (1993-1998) - GA DCA Grant - Trade Center (Parcel 7)
I. Annual contract with options to renew for two additional one year terms to provide an employee assistance program (EAP) for employees and dependent families	Human Resources	Lifestyle Management Resources, Inc.	\$9.41 per employee per year	General Fund/M&O - Human Resources
J. Annual contract with options to renew for two additional one year terms to provide inmate health care	Detention Center	Prison Health Services (PHS)	\$2,581,764	General Fund/M&O - Detention Center - Budget is approximately \$400,000 short for FY 2000-2001.
K. Contract to provide a document imaging system	•Inspections •I.C.S. •State Court Clerk	Palmetto Microfilm and Imaging Systems	\$181,400	•CIP - National Guard Renovations •CIP - Vehicle and Equipment Lease
L. Contract for delinquent fine collections	State Court Clerk	Municipal Services Bureau (MSB)	25% of delinquent collections to be paid to MSB	Revenue Producing

As to Items 6-A through 6-L, except 6-J:

Commissioner DeLoach moved to approve Items 6-A through 6-L, except Item 6-J. Commissioners Murray and Rivers seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

As to Item 6-J:

ANNUAL CONTRACT WITH OPTIONS TO RENEW FOR TWO ADDITIONAL ONE YEAR TERMS TO PROVIDE INMATE HEALTH CARE; DETENTION CENTER; SOURCE: PRISON HEALTH SERVICES (PHS); AMOUNT: \$2,581,764; FUNDING: GENERAL FUND/M&O - DETENTION CENTER - BUDGET IS APPROXIMATELY \$400,000 SHORT FOR FY 2000-2001.

Commissioner Saussy said, Item J, somebody. Vice Chairman Thomas said, who pulled Item J?

Commissioner Odell said, I pulled Item J, Madam Chairman. Basically, we're changing back to our old company? Mr. George Lynch asked, sir? Commissioner Odell said, Item J, Prison Health Services, for \$2.5. Is this a new contract or we go back to the old one? Mr. Lynch said, no sir. Absolutely a new contract, completely rebid and it happens to be with PHS, which as a result of this separate bid action PHS, prior to the incumbent contractor whose option to renew was not accepted at the end of August, yes, PHS about a year and a half ago had been our incumbent contractor for four or five years. But this totally separate submission from scratch. Commissioner Odell said, I'd just like to know from Al [St. Lawrence] and Major Holmes is -, y'all are going to have to live with this guy -. Commissioner Murray said, he's smiling. Commissioner Odell said, they do that and I don't know if they're just hungry or -.

Sheriff St. Lawrence asked, what is your question? Commissioner Odell said, my question is we're changing the provider basically. Are you all happy with this bid plus -, and the new provider? Sheriff St. Lawrence said, absolutely, and I'll tell you why. This is going to cover catastrophic illnesses as well. Now I know for a fact that Major Holmes has been negotiating with a couple of the local hospitals trying to negotiate down \$381,000 in outstanding bills we have because we never had catastrophic illness before, and he had successfully done that. This is -, this particular contract we've never had in place before because it covers catastrophic illnesses. It also takes care of any legal liability as far as medical services out of that jail. So, yes, we'll be satisfied with it because that takes it off from us and it takes off the County Attorney and everybody else. The two most rep -, I'm in the business as such, as Major Holmes is, and we know who the two largest companies are in this country and that's CMS and PHS. They're about the two largest. They're very reputable. Regardless of the problems we may have had before, they are very reputable companies and I expect them to do what the contract calls for or I'll be up here wanting not to renew their contract.

Commissioner Odell said, and my follow-up question is to Major Holmes. Nice tie and -. Commissioner DeLoach said, looking sharp. Commissioner Odell said, as always. The brother's always sharp. Commissioner DeLoach said, he is sharp. Commissioner Odell said, Major Holmes, I'd like your input. Not about the tie, okay. Major Holmes said, again, as the Sheriff has stated, we've gone through this process and, believe me, it has been a very extensive process and the bids come out where PHS really was the top rated firm this round. They're about \$208,000 cheaper than the next low bid, and we think that in light of the cost, in light of the reputation of PHS to provide good service and in light of the need for the Chatham County Sheriff's Department to as soon as possible get out of the business of managing health care, we recommend PHS be awarded for this service. Commissioner Odell said, y'all have answered all my questions. I appreciate it.

Vice Chairman Thomas asked, any further discussion? Commissioner Odell said, I make a motion to approve. Commissioner DeLoach said, second.

Commissioner Murray said, my only question was, this \$2.5 million, how is that compared to what the company we had when we made that change, were there additional requests? Where does that fall in line in that? I'm just curious. Sheriff St. Lawrence said, let me -. If you'll recall, on the second round of bids last time, they bid one million six point something, but they came back this year and told us they were going to have to have another four hundred and something thousands dollars. Okay? But bear in mind that did not include any catastrophic illnesses. Commissioner Murray said, I'm not questioning it. I'm just asking the question. Sheriff St. Lawrence said, I'm just saying then that's basically the difference. Commissioner Murray said, okay. Commissioner Saussy said about \$200,000. Commissioner DeLoach said, 208.

Vice Chairman Thomas asked, any further discussion? Commissioner Saussy said, call the question. Vice Chairman Thomas said, hearing none, please vote. The motion carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.] Vice Chairman Thomas said, the motion is carried.

Commissioner DeLoach said, I know you hate getting out of that business. Sheriff St. Lawrence said, I've got to say this. The only person that's done a better job than either company is Major Holmes. He's been managing it since July. Commissioner Murray asked, when does that contract take place? Commissioner DeLoach said, he's been wanting to get out of it since July too. Sheriff St. Lawrence said, it takes effect the first of January. Mr. Lynch said, the first of January is our planning date. Commissioner Murray said, that will help a little bit. Commissioner Odell said, and then you guys can get out of the health care.

County Manager Abolt said, please note, as I know you're well aware, that in doing this staff will have to find \$400,000 between now and the end of the fiscal year. Vice Chairman Thomas said, okay.

ACTION OF THE BOARD:

1. Commissioner DeLoach moved to approve Items 6-A through 6-L, except Item 6-J. Commissioners Murray and Rivers seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]
2. Commissioner Odell moved to approve Item 6-J. Commissioner DeLoach seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

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XI. FIRST READINGS

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

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

1. **PETITIONER, MICHAEL K. DEAL, AGENT (FOR PENN E. MYRICK, INC., OWNER) IS REQUESTING REZONING OF A 5.38 ACRE SITE FROM AN R-1 (SINGLE-FAMILY RESIDENTIAL) CLASSIFICATION TO A R-3-7.5 CLASSIFICATION TO ALLOW A CONDOMINIUM DEVELOPMENT WITH 36 SEMI-ATTACHED DWELLINGS. THE MPC RECOMMENDED THAT THE PETITION BE APPROVED UNDER THE PROVISIONS OF SEC. 4-6.5 OF THE CHATHAM COUNTY ZONING REGULATIONS AS A SITE WITH UNUSUAL AND EXTRAORDINARY CONDITIONS THAT WARRANTS A GENERAL DEVELOPMENT PLAN WITH SPECIFIC BUILDING TYPE AND DESIGN CONDITIONS APPROVED BY THE MPC AND THE CHATHAM COUNTY COMMISSION TO INSURE THAT THE DEVELOPMENT WILL PROTECT THE CHARACTER OF THE AREA AND THE PURPOSES AND INTENT OF THE *ISLANDS LAND USE PLAN*.
MPC FILE NO. Z-000901-42776-1
[DISTRICT 4.]**

ACTION OF THE BOARD:

Vice Chairman Thomas read item into the record as first reading.

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2. **PETITIONER, PAUL FELSER, AGENT FOR POWERTEL (FOREST CITY GUN CLUB, OWNER), IS REQUESTING THAT A PORTION OF 9203 FERGUSON AVENUE BE REZONED FROM THE CURRENT R-1 (ONE-FAMILY RESIDENTIAL) ZONING CLASSIFICATION TO A R-A (RESIDENTIAL-AGRICULTURE) AND R-A-WT (RESIDENTIAL-AGRICULTURE WIRELESS COMMUNICATION/ DIGITAL TELEVISION TOWER OVERLAY DISTRICT) ZONING CLASSIFICATIONS FOR THE PURPOSE OF ESTABLISHING A TELECOMMUNICATION TOWER. THE MPC RECOMMENDED APPROVAL.
MPC FILE NO. Z-000918-42431-1
[DISTRICT 1.]**

ACTION OF THE BOARD:

Vice Chairman Thomas read item into the record as first reading.

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3. **PETITIONER, ERWIN FRIEDMAN, AGENT (FOR WILMINGTON ISLAND INVESTORS, L.L.C., OWNER) HAS PETITIONED THE COMMISSIONERS OF CHATHAM COUNTY REQUESTING THAT THE PREVIOUSLY APPROVED GENERAL DEVELOPMENT PLAN FOR A 16.75 ACRE PARCEL LOCATED ON THE SOUTH SIDE OF U.S. HIGHWAY 80 BETWEEN QUARTERMAN DRIVE AND JOHNNY MERCER BOULEVARD, WITHIN A PUD-MXU (PLANNED UNIT DEVELOPMENT-MIXED USE) DISTRICT FOR 7.42 ACRES AND R-1-C (ONE-FAMILY RESIDENTIAL) DISTRICT FOR THE BALANCE OF THE PROPERTY, BE AMENDED, INCLUDING A CHANGE TO THE INTERIOR ROAD LAYOUT AND TO VARY THE BUFFER ALONG A PORTION OF THE NORTHEAST SIDE OF THE DEVELOPMENT (FROM 50 TO 20) FEET AND TO REDUCE THE SETBACK ALONG U.S. 80 (FROM 50 TO 45 FEET).
MPC FILE NO. P-001009-35636-1
[DISTRICT 4.]**

ACTION OF THE BOARD:

Vice Chairman Thomas read item into the record as first reading.

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4. AMENDMENTS OF REVISIONS TO THE SOLID WASTE/RECYCLING ORDINANCE.

ACTION OF THE BOARD:

Vice Chairman Thomas read item into the record as first reading.

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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:

Written report received as information.

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

ACTION OF THE BOARD:

Written report received as information.

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EXECUTIVE SESSION

Upon motion being made by Commissioner Rivers, seconded by Commissioner DeLoach and unanimously approved, the Board recessed at 12:20 p.m., to go into Executive Session for the purpose of discussing litigation, land acquisition, and personnel. [NOTE: Chairman Hair and Commissioner Price were not present.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 12:45 p.m.

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ITEMS FROM EXECUTIVE SESSION

- 1. **REQUEST BOARD APPROVE SETTLEMENT OF DONNA PLUMMER V. CHATHAM COUNTY, GEORGIA, AND EDWARD WRIGHT, M00H267 (JON HART).**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request to settle the case of Donna Plummer v. Chatham County, Georgia, and Edward Wright, M00H267, in the amount of \$4,600.00. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

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

ACTION OF THE BOARD:

Commissioner Odell moved to authorize the Vice Chairman/Presiding Officer to execute an affidavit that the Executive Session was held in compliance with the Open Meetings Law. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Price were not present.]

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APPOINTMENTS

None.

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ADJOURNMENT

There being no further business to be brought before the Board, Vice Chairman Thomas declared the meeting adjourned at 12:46 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