

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, DECEMBER 1, 2000, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.

I. CALL TO ORDER

Chairman Billy Hair called the meeting to order at 9:00 a.m., Friday, December 1, 2000.

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II. INVOCATION

Chairman Hair gave the invocation.

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III. PLEDGE OF ALLEGIANCE

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

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IV. ROLL CALL

The Clerk called the roll.

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

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

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YOUTH COMMISSIONERS

Chairman Hair said, I would first like to welcome our Youth Commissioners who are with us today. We have Niavona Daniels, a Sophomore at Beach High School, representing Upward Bound, and we have Brooke Fortson, who is a Senior at Savannah Country Day School, representing Savannah Runaway Home. As we go through deliberations, if you'd like to make any comments or ask questions, raise your hand and I'll recognize you and we'll proceed. We're glad you're here.

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Chairman Hair said, before I get to the next item, I want to recognize the third Youth Commissioner, who has joined us, Lauren Dunant, a Senior at Calvary Baptist School. We're glad to have you and as we deliberate, if you'd like to say anything or ask a question, raise your hand and I'll recognize you. Commissioner Murray said, tell your father hello.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. UNITED WAY SUCCESS AND THANK YOU TO ALL COUNTY EMPLOYEES FOR THEIR GENEROSITY - JACKIE OGDEN.

Chairman Hair recognized Ms. Jackie Ogden.

Ms. Ogden said, good morning, Commissioners and group. It is a pleasure for me to give a report on behalf of Chatham County for the Chatham County 19 –, rather 2000 United Way Campaign. Of course, the United Way Campaign, you know, you all know all the great works that the 35 agencies of United Way. Our County employees have risen to the occasion once again and exceeded goal. Our goal was \$45,000 for Chatham County. A total of \$50,797.20 was raised. I might add that 18 of our departments have exceeded goal between the numbers of percentage increased between 5% and 78%. So, as you can see, the philanthropic endeavor of our County employees is extremely high, and we thank all of our Chatham County department heads as well as we thank the appointed volunteers within those departments. They have really stepped up to the plate and inspired their colleagues to give to this worthy campaign. Also, I might add that Lt. Wayne Dorsey of the Sheriff's Department was the Loan Executive from Chatham County this year, once again working on behalf of the government sector for the United Way of the Coastal Empire. He was also a mentor and friend in this endeavor and I do want to sing his praises. Also, I would like to thank last year's United Way Chairman from Chatham County, who steered this effort that I'm doing this year, in the '99 campaign, and that was Phillip Weber for his advise and encouragement and also to Russ Abolt for his guidance. So, again, our goal was \$50,797.20.

Chairman Hair said, thank you, Jackie [Ogden], for the good job you did. Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Dr. Hair, Dr. Thomas, I would like to add my deep appreciation to Jackie [Ogden] for what she did, but also to the employees. I mean, the employees are doing so much in so many fronts to show they're caring for the community, and this is one thermometer, but it's only one, but still the response has been awesome.

Chairman Hair said, well, of course, Russ [Abolt] is aware of this, but Russ [Abolt] and myself met with the senior execs of the United Way early on in the process to try to see what we could do to increase the effort, so –, and then certainly under Jackie's [Ogden] leadership, we did a very good job. Thanks again to all the employees as well.

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2. PROCLAMATION FOR “WORLD AIDS DAY.”

Chairman Hair read the following proclamation into the record:

WHEREAS, the global spread of HIV infection and AIDS requires a worldwide effort to increase communication, education and united action to stop the spread of HIV/AIDS; and

WHEREAS, the Joint United Nations Programme on HIV/AIDS (UNAIDS) observes December 1st of each year as World AIDS Day, a day to expand and strengthen the worldwide effort to stop the spread of HIV/AIDS; and

WHEREAS, UNAIDS estimates that 34 million people are currently living with HIV/AIDS, with young people under age 25 accounting for at least half of all new infections; and

WHEREAS, the American Association for World Health is encouraging a better understanding of the challenge of HIV/AIDS nationally as it recognizes that the number of people diagnosed with HIV and AIDS in the United States continues to increase, with 850,000 AIDS cases reported as of December 31, 1998; and

WHEREAS, World AIDS Day provides an opportunity to focus local, national and international attention on HIV infection and AIDS and to disseminate information on how to prevent the spread of HIV/AIDS; and

WHEREAS, because men represent the majority of people living with HIV/AIDS, the World AIDS Day 2000 theme, AIDS: Men-Make a Difference!, urges all men to increase their awareness of the risk of HIV/AIDS for themselves, their partners and their children and to use their influence in their families, among their friends and in their communities to help stem the tide of the HIV/AIDS epidemic.

NOW, THEREFORE, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim December 1, 2000 as:

“ WORLD AIDS DAY”

in Chatham County and urge all citizens to take part in activities and observance designed to increase awareness and understanding of HIV/AIDS as a global challenge, to take part

in HIV/AIDS prevention activities and programs, and to join the global effort to prevent the further spread of HIV/AIDS.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 1st day of December 2000.

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

ATTEST:

/s/
Sybil E. Tillman, Clerk

The proclamation was received by Mr. Richard Pfister. Mr. Pfister said, thank you, Chairman Hair. Today is –. My name is Richard Pfister and I’m the Chairman of the World Aids Day Committee 2000, and I’m also the Executive Director of Coastal AIDS Support and Education Project, Incorporated. We have a fine group of young people that are out doing education in the community under our SHARE program receiving HIV/AIDS Reduction Education Program and many of them will be out there tonight or this afternoon after they get out of school from County Day. Your County Day Youth Council representative –, Youth Commission representative is one of SHARE teams out at Country Day. We have three SHARE chapters now, one in the public schools and Savannah Arts Academy that’s headed up by Catherine Alt [phonetic]. The Chatham County Youth Commission has always played and I hope will always play an active part in HIV prevention. The best and easiest way for the youth to get the message is from other youth, and that’s why we’ve been using your Commission –, your Youth Commission, the Red Cross Youth Council, and our three SHARE chapters to increase awareness among teens. Tonight at seven o’clock we’ll have a candlelight vigil at Forsyth Park at the fountain, and we’d like to see everyone attend. We’d be more than honored to have the Commission to be there. Mayor Floyd Adams will be bringing a proclamation. I haven’t picked that one up yet from the City, so they’ll be doing that at the World AIDS Day tonight.

Mr. Pfister said, one troubling thing here in Chatham County, you know, prevention and education is on the increase and we’re making some headway, but we have a desperate, desperate need for a new health department. Our Chatham County Health Department –, I am on the Statewide Prevention Council, which is a quasi-governmental agency. I have been to some of the poorer counties in this State and they have brand new state-of-the-art health department facilities. We are one of the most wealthy counties in this State, and our health department is deplorable. Our HIV Clinic, our Infectious Disease Clinic is in a trailer. You’re expecting my clients, the majority of which have to go to the health department for their health care because they can’t get it any place else, they can’t afford it, to get treated in a trailer. How many people in this room go to a doctor in a trailer? Most of my clients do. Most of Pandora’s

clients at Azuka do. Most of Phoenix Project of Union Mission's clients do, and my brother's home, the new organization. They're going to a trailer for health treatment. That's not exactly what --, and we've got to find some way to move that clinic into a real building. But the staff out there is one of the best staff's I've ever had the honor of working with. Susan Alt is --, and her staff do a fine job of keeping people healthy. That's why our AIDS numbers are not higher than they are. That's why we're only third in the State instead of number one or number two in the State. So I just urge you to please consider building us a new health department. Thank you.

Chairman Hair said, thank you, Richard [Pfister]. I appreciate your leadership, and we will certainly look into that. I think that's a very good point that you made.

Youth Commissioner Brooke Fortson said, I would like to add that the Youth Commissioners have been supporting World AIDS Day for the past three years, and we will be attend the Candlelight Vigil.

Chairman Hair said, I think I've attended every one of the ones in Forsyth Park myself and will be there tonight. I --, and the Youth Commission has played a very key role in terms of organization, and I'm glad to know that this is going to continue. I appreciate that Brooke [Fortson].

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VI. CHAIRMAN'S ITEMS

- 1. REQUEST FROM MILITARY AFFAIRS COUNCIL OF THE CHAMBER OF COMMERCE FOR \$2,000 TO JOINTLY FUND WITH CITY OF SAVANNAH AND THE CHAMBER A RECEPTION FOR ADJUTANT GENERALS FROM EACH OF THE 50 STATES MEETING IN CHATHAM COUNTY ON THE 4TH OF DECEMBER.**

Chairman Hair said, we are going to host next week all of the Adjutant Generals from all the 50 states. They'll be here. General Poythress, of course, being our Adjutant General, will be the host general, and we've been asked to participate, and I think it's a very good project. The City will be putting up \$2,000 and the Chamber will put in \$2,000 and we've been requested to put in \$2,000, and I do think this would be money very well spent to host this. Does anybody have any questions or --? Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I—, it’s more than just the Adjutant Generals from each state that come into this community. They bring their staff with them and a lot of other people and they spend an awful lot of money in the community when they come. Normally I vote against things like that when they come up, but based on the circumstances with this and the amount of people that will come and knowing what they will be doing, I will support giving \$2,000 from the County for that. Now I’m not sure where that will come from. It’ll come from the Special Service District Contingency? Okay.

Chairman Hair said, I’ll entertain a motion. Commissioner Murray said, I move to approve. Commissioner Thomas said, second. Chairman Hair said, second. Any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.] Chairman Hair said, the motion passes. Thank you very much.

ACTION OF THE BOARD:

Commissioner Murray moved that Chatham County contribute \$2,000 from the Special Service District Contingency to jointly fund with the City of Savannah and the Chamber of Commerce a reception for Adjutant Generals from each of the 50 states meeting in Chatham County on the 4th of December. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]



2. REPRESENTATIVE ANNE MUELLER - VARIOUS ISSUES.

Chairman Hair said, next we’re going to recognize Mrs. Anne Mueller, who’s the Dean of our delegation, State Representative, Mrs. Mueller.

Rep. Mueller said, thank you, Mr. Chairman and ladies and gentlemen of the Commission. I thank you for letting me appear before you today. It’s kind of short notice, but I have gripe that I feel that y’all need to know about. It concerns paving of a parking lot, or two parking lots to be exact. I understand and have been told, I talked to Commissioner Coleman, DOT, that they no longer —, they’re not planning to do that because they have paved so many, but we have had two items on the agenda for over two years. One of them is at the Bamboo Farms and one is at the Humane Society. I understand there may still be some projects Humane Society getting a road, but it is my understanding that it is ongo for the Bamboo Farms. Now I talked to Mr. Abolt about this and he said the County does not pave parking lots. That is just not so. He argued with me that they did not pave the one at Armstrong, and they certainly did. I think by now he has found out that they did pave the one at Armstrong, and I know some of you on the Commission

remember when that was done. Now I don't know and never have gotten the answer to this one, who paved the lots at the Hospice and Garden Center? I thought the County paved those. If they didn't, I don't know who did. Also, who paved the lot at —, for the Soccer Complex? That's a parking lot. Maybe the County didn't pave that, but I do know that SPLOST funds cannot be used. I understand that and every answer that I've gotten tells me you cannot use SPLOST funds. Well, to the attorney and to the administrator, I know that. I don't need to be told that any more, but what I'm trying to find out is I want them paved and it can be done with County funds. Maybe it can't come from SPLOST, but we've waited for that long enough, and I think it's about time that these things are taken care of. Now would somebody at this time like to tell me who did pave those lots?

County Manager Abolt said, yes sir. First of all, I'd never argue with Rep. Mueller. I have too much respect for her, and I mean that sincerely. Rep. Mueller said, well, you can argue with me if you want to, but I'd be glad to argue back. County Manager Abolt said, I'd never do that. Commissioner Rivers said, she will do that. County Manager Abolt said, yes sir, and I have great respect for her. We did —, we may disagree. I can answer, I believe, each of the questions. On the Armstrong proposal, that came forward as a County contract, but Armstrong University reimbursed the County for the work that was done in the area of the parking lot. In the area of the Garden Club we did have a legal opinion back when that was done that there was sufficient justification for the parking as a compliment of the roadway, and that was done with legal approval prior to doing it. Anything else that we would have done, and I cannot account or recount any time we've done it in the past, she mentioned the parking lot at the Soccer Complex. That was not a County contract as such, that was a SPLOST project, but the improvement of the Soccer Complex was a SPLOST project, just like the Trade Center was a SPLOST project, where we put parking lots there.

Chairman Hair asked, so what would be the difference in the Humane Society and the Garden Club parking lot? It seems to me that would be —. Rep. Mueller said, that was my next question. Chairman Hair said, I don't know, but to me that would be one and the same. County Manager Abolt said, well, in the case of both the Humane Society and also the Bamboo Farms, those are projects extra to, you know, the County's normal responsibility. We were helping those very worthwhile private agencies out by paving their road. They expanded that to want the parking lots paved and, in effect, you know, that's where we exceeded the authority of the law in our interpretation.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray asked, Russ [Abolt], don't we have a County road that goes by the Humane Society down to a metal warehouse on the right-hand side and our kennel is on the left-hand side? Mr. Hart said, there was a cut —, there was also a cut-through. Commissioner Murray is absolutely right. Commissioner Murray said, and that is not paved is it. Mr. Hart said, that was the justification for trying to —. Commissioner Murray asked, but it's not paved though, is it? Mr. Hart said, I don't know if it is now.

Commissioner Murray said, I don't think so. Chairman Hair said, I don't think it is. Rep. Mueller said, it is not paved. Commissioner Murray said, it wasn't the last time I had to go pick a dog up. Rep. Mueller said, I can tell you it's not paved. I've been down there many times. It is not paved. Commissioner Murray asked, well, why can't that road be paved and the parking lot be part of that to enhance all of it? We've got people going in and out of that place every day, not just the Humane Society's parking lot, but we're having to go in and out of the County pound. I don't know if that warehouse is being used for anything any more, but it's a lot of traffic that goes in and out of there I would think.

Chairman Hair said, well, I still haven't heard an answer to my question about what's the difference in the Garden Club parking lot and the Humane Society. If we've got a legal opinion saying that we can do the Garden Club, why –, what's the difference in that and the Humane Society? Somebody needs to answer that question. County Manager Abolt said, I wouldn't practice law, but all I can say is that, in effect, we had an opinion that the parking at the Garden Club was complimentary to the road, and that's as opposed to a project, and you have to understand –, I don't mean this in the way I said it. I'll re-choose my words. The Garden Club project was a project that the County actively was involved in to create a relocated building off the Truman Parkway that would compliment Hospice. At the time we were paving the road the question came up as to whether or not any related parking could be paved. The County Attorney at that time said it was sufficiently related to the movement of traffic and providing for parking we could do that.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, let me ask you this, Russ [Abolt]. County Manager Abolt asked, sir? Commissioner Rivers asked, have you looked at the cost of those parking lots to be paved? Have you looked at the one out at the Humane Society what it would cost to actually pave it, and then again I would like to know what it would cost to pave the road, and then, lastly, where will the funds come from in order for us to do that? County Manager Abolt said, okay. What happened, these are traditional County contracts that have been used to compliment the needs of agencies. County contracts traditionally are driven by a need to pave unpaved residential streets. From time to time we have been very supportive of requests from the legislative delegation or from the Department of Transportation where they're issues like Armstrong Atlantic, which are not a part of the County's unpaved roads, but in effect we could partner with the State and also compliment the needs of the local delegation to make something happen. In those cases, because of our concern for parking lots, there was always someone else that said they would pay for the cost of the parking lot. Commissioner Rivers asked, here again, we don't have an estimated cost on –. County Manager Abolt said, I'll have to get that. I don't have it –. Commissioner Rivers asked, Rep. Mueller, do you have an estimated cost on –. Rep. Mueller said, I don't estimate costs of paving. That's not my expertise. I would assume that the County should have already done that. That's not my job. Commissioner Rivers said, Mr. Chairman, then what I would like to do –. I've [inaudible] enough that he had time to do it. Commissioner Rivers said, what I would like to do if we can

is to look at what it would cost to pave that road, one –. County Manager Abolt asked, which road? Commissioner Rivers said, the road that's going up in there. If we've got one that's going to justify the compliment. County Manager Abolt asked, Commissioner Murray's road? Chairman Hair said, yes, yes. Commissioner Rivers said, I think it was the one that Frank [Murray] was talking about going up in there. All right, secondly, what the costs would be, and, thirdly, where would the money come from in order to do that–? County Manager Abolt said, SPLOST. Commissioner Rivers asked, with justification, where would it come from? County Manager Abolt said, assuming it's justified, it would be SPLOST, sir. Commissioner Rivers said, and then, fourthly, time frame as to if and when we can get it done. Okay, when those come back and then I'll –. County Manager Abolt said, the issue on time frame was, as we've done in the past, the design was to be done an archi –, not an architect, an engineer in the case of the Humane Society, for the Humane Society, and there have been some difficulties on the private level which the County has not involved itself in.

Chairman Hair said, I do think that –, I totally agree with Rep. Mueller. I think this thing has been on the stove for too long, and I think it's time for us to decide what we're going to do and do it and get on with it. So I would think that between now and December 15th, our next meeting, that would be sufficient time to get the answers to the questions that Commissioner Rivers has asked for, and I would suggest that we put that on the agenda for the 15th to take a vote up or down based on the cost and the source of funds.

Mr. Hart said, Mr. Chairman, I've looked at the Bamboo Farms issue and the only thing that could change in regard to the ability to render that opinion is that there's been two or three different proposals, and assuming they've got a fixed proposal now, we could certainly have that –. Chairman Hair said, we're talking the Humane Society. I'm not worried about that one right now. I think the DOT may be –. Rep. Mueller said, the DOT has already approved the road for the Bamboo Farms. I was hoping that –, to me that's complimentary to the road just as though the Garden Center, and I can assure you the Bamboo Farms is used 20 times more than the Garden Center is ever used. Chairman Hair said, well, I only think –.

Rep. Mueller said, that road is ready and the parking lot should be done and it can be done. I had a letter from Commissioner Coleman, I think it was actually addressed to y'all, but a copy was sent to me saying that the excuse you gave me was a rather flimsy one. He wasn't too happy with your answer either any more than I was because it could certainly be done. There's no reason for it not to be done. The road is ready for the Bamboo Farms, the parking lot could be done. I know you say SPLOST can't be used, but apparently you've already done it. You've had an opinion given that it could be done and maybe you could come up with another opinion, but I think two years is long enough to wait on both of those projects. Commissioner Coleman says he will do one on a County contract, but he's not going to wait forever for it to be done, so I would like to ask that we get going on this. I guess for right now maybe the Bamboo Farms since the road's ready to go, but I'll take either one I can get.

Chairman Hair said, well, I also think that Commissioner Coleman will be much more likely to do the one if we do the one, so I think again in that partnership concept, I think that would actually enhance the chance of getting both of them done if we take the responsibility. Commissioner Murray, Commissioner Odell and then Commissioner Jackel.

Commissioner Murray said, yes, after listening to this discussion I'm having a hard time trying to understand why the one at the Garden Center compliments the road but the one at the Humane Society would not compliment the road. They're basically the same distance off the road. It just happens to be two separate roads in the same vicinity. The other thing that concerns me is I remember when we moved the house in there for the Garden Club, and I remember when the road was paved and the name of the road. That is, as far as I know, a public road that goes in there now, but that's County property, is that right? Chairman Hair said, yes, yes. Mr. Hart said, I'll be happy –, Commissioner Murray, I'll be –. Oh, excuse me. Commissioner Murray said, which brings up another issue that's separate from what she's talking about, and that is the Garden Club not willing to work with Hospice in allowing them to park, you know, the full park and stuff on the parking lot that the County paved. That's another issue that needs to be resolved. Chairman Hair said, I think we need a legal opinion on that. Mr. Hart said, sure. I'm not familiar with the Garden Club issue. That predated me, but I'd be glad to pull that old opinion out and reconcile the two. Chairman Hair said, look at it. Commissioner Odell and then Commissioner Jackel.

Commissioner Odell said, my primary question is are there other agencies or groups that would be similarly situated as the Humane Society and the Bamboo Farms so that when we do the cost estimate that there are other agencies? There are not? County Manager Abolt said, if I may, how this happens is, again, the direction you've given us and previous Commissions, let's pave unpaved roads in the County and just let's use our SPLOST money. From time to time, infrequently, the Department of Transportation usually will come to the County Engineer and say we have a request from a member of the legislative delegation to do something at Armstrong, to pave a road, would the County partner, and we say yes but we'll not pave the parking lot. So to make it happen without making it bureaucratic beyond belief, in effect we put the County contract together, you approve it, and then there's reimbursements that occur. In the case of the Humane Society, they have had some difficulties with the engineer that they've employed and they have not been able to produce their plans for the roadway. When that then became an issue beyond just that, namely the parking lot, we told all the interested people that to our knowledge we could not pave the parking lot with County funds, and that's where that issue is. On the issue of the Bamboo Farms, that was later on in the history of this whole thing, but we used the same indication to them that we could not pave parking lots. In the case of the Hospice and the Garden Center, there was a legal opinion. It shows that staff did not create objection, that there had been an on-going precedent, we thought, that we could not pave parking lots. The only time we've ever paved parking lots with SPLOST has been when the improvement, the Trade Center, the Soccer Complex, the Aquatic Center, I mean, they need parking lots. That's part of the project as opposed to a road project,

and what we're trying to avoid is the potential criticism from the electorate saying that we want all unpaved County roads paved, we voted for SPLOST, why aren't you doing it, and, oh, by the way, why are you paving parking lots? That's the other side of the coin.

Rep. Mueller asked, is it not true you can use something other than SPLOST? Chairman Hair said, I think there is a possibility, that's why I [inaudible] that between now and December 15th, Rep. Mueller, we will have –, we will vote on this on December 15th.

Commissioner Rivers said, Mr. Chairman. Chairman Hair said, Commissioner Jackel first and then –. Commissioner Rivers said, Rep. Mueller, I don't want to arbitrarily approve something. I think always that we've got to look at where we have funds, how much we have and whether, you know, we can do it, and a lot of times we do things up here without really looking at it and we put ourselves in jeopardy. Personally I will look at the situation when all that comes back. When it comes back and if we've got adequate funds there to do whatever you need to be done, it shall be done. If we don't, then we have to look elsewhere as where we can get funds to do it. I just want to look at the whole scenario of this whole thing. Rep. Mueller said, I understand. I wouldn't want you to –. Commissioner Rivers said, when it comes back on the 15th we should be ready to do what we need to do.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, let me see if I have this right. This has been a problem for two years. Rep. Mueller said, at least two years, maybe more. Commissioner Jackel said, do both these organizations already have a plan for what's to be paved and not be paved? I understand you don't do the estimate, but do they have some estimate? Rep. Mueller said, they should have. Commissioner Jackel said, they should have. Okay, so we don't have to create the plan and we don't have to do the estimate, that's already –. Rep. Mueller said, the road is ready to go at the Bamboo Farm. The State is paving the road at the Bamboo Farm. It's ready to go. I'm just asking that the parking lot be put in at the same time, which will be cheaper, which will be more effective, and to me it should be done. I don't know about the Humane Society. My understanding is that they were ready for the road, but the County would be the one that would have the plans and they may have found some problem with it, but I thought it was ready to go also, but I know that the one at the Bamboo Farm is ready to go. The State has already agreed to do that and Commissioner Coleman has said he will do one, and I just said the Bamboo Farm because I think that road is ready to go. I'm not sure about the Humane Society, because I want them both done because I think they both –, I mean, you're not just paving a parking lot. There's a road going to there. It's not just a parking lot out in the middle of somewhere. It enhances a road, or the road enhances it, however you want to put it, but I'm just saying we have dragged our feet on this thing way too long, and I would hope that a favorable conclusion could be reached on this.

Chairman Hair said, well, I appreciate your –. Rep. Mueller said, I've got one more. I mean, when I get through with this. Chairman Hair said, on December 15th we will deal with that issue. Commissioner Odell asked, can we have a report back Tuesday of that week so that –. County Manager Abolt said, oh, yes sir. Commissioner Odell said, and my only reason is that if I get it on Thursday –. County Manager Abolt said, you'll never get it on Thursday, you'll get it on Tuesday. Chairman Hair said, yes.

Rep. Mueller said, okay, the other thing I want to ask you about is the raise for the Sheriff and the Tax Commissioner. This has come up year after year. You asked us not to do it. I don't want to do it. I think it's the job of the Commission to give the raises. I don't think it's the job of the General Assembly; however, when these things come up, every raise that's been given that I know of it's had to come through the General Assembly and then that upsets your budget plan and we should not have to do this. So my concern is are you planning to give the Sheriff and the Tax Commissioner a raise this year or are we going to have to do it again? I mean, I have no problem with them getting a raise. I have –, I don't have the figures with me and I haven't had them for the last couple of years, but we are paying our Sheriff far less than those Sheriffs in counties of comparable size, and I'm not including those Sheriffs who are also Sheriffs of the full –, I mean, have the County Police Department under them also. I'm not including those, but they're way down the list. I don't –, I don't think it's fair. It's my understanding the County Police Chief makes far more than the Sheriff, and yet the Sheriff has more to deal with in area size. I don't begrudge the County Chief one penny he makes. I was the daughter of and the wife of a law enforcement officer. Trust me, I know it is not a good job sometimes, and I can remember working in the hospital and when I would hear that a policeman had been injured or killed, I used to wonder whether it was my husband, so I know what it's like to be the wife of a law enforcement officer, and so I'm not begrudging the Chief one penny that he makes, but I do wonder why we are letting our Sheriff fall way below and our Tax Commissioner. I would beg you to do that raise. We're liable to give them more than you would give them. So it would probably be better if you do the raise instead of us. I mean, it is your responsibility and it should not be thrown back on the legislative delegation in Chatham County to do that.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, when we had our legislative lunch, Anne [Mueller], we had discussed that. It was my impression that through our Human Resources when we did our raise and salary study that we had specifically looked at those two positions –. County Manager Abolt said, yes sir, we did. Commissioner Odell said, and that we had a recommendation. County Manager Abolt said, yes sir. Commissioner Odell said, and I guess my recommendation would be we've provided that information to Anne [Mueller] and the legislative delegation. County Manager Abolt said, through Mr. McAlister. Commissioner Odell asked, we have? Rep. Mueller said, I haven't gotten it. County Manager Abolt said, I'll make sure. Rep. Mueller said, you may have given it to Mr. McAlister, but I have not gotten it. Some other members may have, but, of course, at my house things get lost, but that's –. Commissioner Odell asked, can we make certain that Anne [Mueller] gets that, and here's why. Whether we do it or not, we've

looked at what is fair and appropriate and what needs to be paid for each position. Those are two positions that our study concluded was below the fair market, and the impact of that is that we create what's known as compression, and compression is where the top is artificially held low and then all the other positions are held low, and rather than having the legislators arbitrarily give an increase, assuming we don't do it, have enough bucks to do it, if we could provide you all those numbers, then whether you can tell us to do it or we do it without being compelled, we have exactly what it should be based upon a systematic study. Rep. Mueller said, well, I would appreciate if you would look at it, and I can't force you to do it. If you don't have the votes, of course, you cannot do it, and I understand that, but I would certainly want this Board, for the Commission to look at it and either vote it up or down and then we'll know what direction to take. I just hate for us to step in because I understand Mr. Abolt's problem, we come up with a raise and it throws your budget off. So what we have to do usually is wait for the year —, a year to pass before your next budget comes along and you put it in, but I just think it would be better if the Commission did it; however, if you do not do it, then give us the figures. We would look over it and in all probability try to pass it, but we may not have the votes in our delegation to do it. Commissioner Odell asked, can we get that information not necessarily to Bob McAlister, but directly to the individual legislative delegate? County Manager Abolt said, whatever your preference is. Commissioner Odell said, my preference would be we summarize those positions of the two that she is concerned about, and give her those summaries I think would be helpful.

Chairman Hair said, also, too, before I recognize Commissioner Rivers and Commissioner Jackel, I share Rep. Mueller's concern. I do think that we all up here know that we don't have enough money to implement the salary study all at one time. We know that if we're going to do the right thing we need to implement the study fully, but we can't do it at one time. So, therefore, the logical conclusion from that is that if we can't do it all at one time, we take the ones that have the widest gaps and we do those first. That just makes logical sense, and certainly I think the two that Rep. Mueller's talking about, if you'll go back and look at the study we got done, do represent huge gaps, and so maybe what we ought to do and look at it is rather than just these two, going maybe say we're going to take the ten positions that are the furthest apart and we're going to do ten this year and ten next year or something of that nature or some proportionate amount, and go ahead and implement it that way because we know we cannot implement it all in one year. We just simply financially can't afford that, but that's not —, that still does not relieve us of the responsibility to do the right thing. So I think that's probably what I would ask my fellow Commissioners consider doing is maybe us looking at a tiered approach and putting the ones that are the widest gaps in the first tier, and then —.

Rep. Mueller said, just recently the judges and some of the clerks of court and all have received raises. These are the two who have not, so I don't think that, you know, you need to worry too much about the others at this time. These are just the two that keep being passed over and I'd say the judges have received a raised, I think the clerks of court have received a raise, but the Sheriff and the Tax Commissioner have not, and I would just, you know, I would appreciate it very much if y'all would do it

rather than us, but if you don't have the votes, we will look at it. If we don't have the votes, of course, we can't pass it, but it's a local piece of legislation and it will require four on the House and votes of the Senate to do it. I do not know the feelings of the group at this time, but I would certainly be willing to introduce it and see if it will pass, but as I say, I would rather that you do the study and you look at it and do the best that you can with it.

Chairman Hair said, you know, I also would want to commend you for the fact that, you know, y'all --, we went to y'all last year and asked y'all not to give raises that we didn't approve, and y'all have done that and now, I think, you're here appropriately saying, you know, if you don't do your job then we're going to have to do it, and I commend you for that. Commissioner Rivers and then Commissioner Jackel.

Commissioner Rivers said, you know, I realize that the Sheriff, Tax Assessor --, the Sheriff and the Tax Commissioner needs to --, we need to close that gap. Certainly I would love to close that gap, but yet at the same time I have a concern for all of the smaller people on the lower echelon that need gaps closed. You know, so often we have overlooked that over the past years of not doing that, and if anything that I would request of you, Rep. Mueller, is to help me to find funds to do what we need to do, and that's through franchise fees or whatever means that we could come up to accumulate additional revenue. Help me in that manner and we could make a lot of this a little more easier. We've rolled back and we've frozen the tax. Of course, we can arbitrarily give by taxing --, raising the millage, but we don't have the will to do that. So the only other thing that I can come to the Legislators on bended knees, if necessary, to say help me to find another means through franchise taxes or anything else that we need or some of the things that we've been asking to help us to do to obtain new revenue, then I would behoove you that the delegation to help us to do that. Rep. Mueller said, Commissioner Rivers, I think you know that something like the franchise fee is a statewide piece of legislation, so if you want me to help you on that then you talk to the ACCG and some of those people. Commissioner Rivers said, I'll do it. Rep. Mueller said, you have got to get them to want it and to push it. We could introduce a bill all day, and if they oppose it, it's not going anywhere, and I think you've been up there long enough to know that, but I'm not on the commission so I can't tell you where you can find money. I'm trying to find some for the State without raising people's taxes, so that's what you're going to have to do here, but some of the things you're requesting are statewide issues and they will have to be passed by the entire General Assembly. It is not a piece of local legislation and if the ACCG opposes it, it isn't going to anywhere and I think you know that. What y'all need to do is work on the ACCG and see if you can't get them to come around to your way of thinking and then you have a much better chance. Commissioner Rivers said, I will do that.

Chairman Hair said, Commissioner Jackel and then Commissioner DeLoach and then Commissioner Murray. Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, it's been almost four years since we looked at the salary increases. As I recall, we had 10 to 12 positions on the list that we wanted to raise salaries, the two people you mentioned and eight or 10 others, and as I recall, we haven't raised any of them and then y'all --, and I thought a lot of them had merit and should be --, should have been raised. We looked at all 10, 10 or 12, and some of them I remember was the Probate Court Judge, his clerk who has a lot of responsibility, the Associate Juvenile Court Judge, who I think is grossly underpaid. He makes \$30,000 or \$40,000 less than the judge out there and has the same responsibilities virtually that the chief judge has. There's a whole list of them. This is something that we didn't take lightly and we had a long list and it added up to substantial funds, so when we had that --, and we also had the Clerk of Superior Court, who I think is quite underpaid for the --, for what she makes. I think she makes less than the State Court Clerk, and I don't want to start a fight here --. Rep. Mueller said, I think they all received raises. Commissioner Jackel said, but, you know, when it bypasses us and it goes to y'all, whatever the merits are and y'all pick out one or two, it really does create a bind for us because we have looked at it and we have not treated it lightly, but we could just not muster the votes on that, and I was one of the ones that felt these people deserved a raise and pushed for it and voted for it, but I was in the minority, but we did look at the thing and we had all of them lined up and we had the comparisons with counties of similar size and similar responsibility, but my side did not prevail, so we have to look at all of them within the constraints of our budget, and I'm sure you understand that and so I would just urge you to exercise your conservative nature and maybe we can deal with it here. Rep. Mueller said, well, as I said, I think all the others got the raise and we didn't raise the Sheriff and the Tax Commissioner because we talked to the Commission and they said they would do that the next year. It has not been done. So once again the ball's in your court. If you fumble, we'll try to pick it up. That's all I can say about it. Commissioner Jackel said, I don't think --, I don't think the Associate Juvenile Court Judge got a raise. Rep. Mueller said, we'll look at it and maybe not. We will [inaudible] if you don't then. Commissioner Jackel said, I don't think the Clerk of Probate Court got a raise. I don't know who else was on the list, but there were several on the list and I don't know whether --, did Susan Prouse get a raise? I don't know whether she --. Rep. Mueller said, yes, she did. Commissioner Jackel asked, she got one? Rep. Mueller said, yes, she did. I know that for sure. I will look again and see, I'll check it. I had asked that y'all be sure about that also. I will compare my list with your list and see which ones got a raise and when it happened, but there again I prefer that the County Commission do it because you're the one that has to deal with the funds. It's much better if you do it. Commissioner Jackel said, right. Rep. Mueller said, but I don't like to see our people lagging so far behind other counties that aren't supposed to do as well as we do and yet ours are making far less than those people are making, so I would much prefer that you do it. But if it doesn't, they come to us, and if we've got the votes we will most likely do that. That's all I can tell you.

Chairman Hair recognized Commissioner DeLoach.

Commissioner DeLoach said, I was just going to piggyback on what Joe Rivers said about making sure that although there is some discrepancies in salaries and that type of thing, that we actually do look at

the entire picture before we give raises so that no one's left behind. I'm sure there's a --, anybody who needs a raise probably thinks their raise is the most important raise that we've got to do --. Rep. Mueller said, absolutely. Commissioner DeLoach said, so I want to make sure that whenever it comes up time, I don't know when y'all do this, it might be after December, so whenever y'all do come up to do this, I think it's important that we realize that there is a lot more people besides the Sheriff and the Tax Commissioner and we want to make sure that everyone participates in this funding of these --, that we're --, that we've actually spent money on because it identified a lot of people that were short as far as being paid, and I want to make sure as we raise the boat that we raise everybody's boat, not just one or two of them. Rep. Mueller said, well, there again, that's your job, it's not mine. Commissioner DeLoach said, yes, and I don't have a problem with the job. Rep. Mueller said, and you're the ones that can give --, and the little guy needs a raise probably more than anybody. Commissioner DeLoach said, exactly. Rep. Mueller said, and I would certainly hope that you would give the ordinary worker out there a raise, but that's not something I'm supposed to do and, you know, people complain about the government stepping in and meddling, well, it isn't my fault we step in and meddle. Sometimes we have to because y'all don't do your job. If you don't give them a raise, then we'll give them the raise. That's the only thing I'm saying. Commissioner DeLoach said, well, let's make this --, let's change the --, maybe we're doing our job and you just don't agree with the job that we're doing, okay. Rep. Mueller said, well, that could well be. Commissioner DeLoach said, there's opinions and everything and we all have one. Rep. Mueller said, absolutely. Commissioner DeLoach said, and the opinion that we have is the opinion --. Rep. Mueller said, if you're the one that's so concerned about the little guy giving the raise, then don't ask me to do it. Commissioner DeLoach said, just we have an opinion on what we feel like needs to be done and we'll work towards that, and whatever you feel like you need to do after that, then take care of it. Rep. Mueller said, like I say, I would rather y'all do it because it is your job. Commissioner DeLoach said, that's fine. Rep. Mueller said, and I think you should give the little guy the raise first. There's no doubt in my mind about that. They're the ones that are out there pulling y'all together [inaudible]. Commissioner DeLoach said, well, I just want to make sure. I know we've been emphasizing one or two and I want to make sure we emphasize everyone. Rep. Mueller said, I'm emphasizing that one or two because every year it comes up and we don't usually give the raises to the employees, the other employees, it's just those --, so I don't think we could do the other. I don't know, but y'all have the money and you have the budget, you know what you've got and you know what you've got to spend. I understand that, but I'm just saying this has come up for four or five years and every year it's gone to us and every year we try to let you do it, and it hasn't happened yet, and I'm just asking you to please look at it before we do. Commissioner DeLoach said, okay.

Chairman Hair said, I'm going to recognize Commissioner Murray and then Dr. Thomas and then we need to wrap this up.

Commissioner Murray said, yes, the --, one area, y'all will be meeting in January and February and part of March. We probably won't even start our budget talks until around March or April, so we can't sit here

today and guarantee we're going to do it. Rep. Mueller said, I agree. Commissioner Murray said, our new year doesn't start until July 1st. We go through the last of June with this budget year, so are you saying that y'all would go up in session, and you'll go back in session the first of the year and approve raises for certain elected people in this County, and then we're supposed to fund it during this present budget year. Rep. Mueller said, well, usually –. Commissioner Murray asked, is that what you're telling me? Rep. Mueller said, no, we usually make it the next budget year so you'd have time to work it in. That's what we have tried to do in the past. Commissioner Murray said, because where I have a problem with it is not the individuals or those positions involved right now, but where I have a problem is when somebody from our State local delegation comes to us and more or less in a threat and says we're going to do it if y'all don't do it, and all these elected people, whether it's judges or whatever, even the County Commission, have to do is go lobby our legislators and they can get raises, but the other people that fall under them don't get those raises, and that's where I have a problem with it. We've got to work some plan out that we can do something for everybody and not just select people regardless of how much difference there is in what they're getting paid versus somebody else, and I'm not saying I'm going to support the raises when it comes up, but I do –, I really have a problem, and you and I get along in most things, but I have a problem with this because I don't like to be threatened and I think that's what you're doing to us. Rep. Mueller said, it's not a threat –. Commissioner Murray said, it is. Rep. Mueller said, it's just letting you know what we're going to do –. Commissioner Murray said, well, it's a promise then, not a threat, a promise. Rep. Mueller said, Commissioner Murray, I said we may not have the votes to do it, and we may not, but I'm just saying if y'all don't look at it, we will look at it, and I think we'll pass it. Commissioner Murray said, but what I said was we aren't even getting into our budget deliberations until probably March or –. Rep. Mueller said, and they wouldn't go into effect until the following budget year, it would not go into effect this budget year –. Commissioner Murray said, I understand that. Rep. Mueller said, that's all I'm saying. I'm sorry you think it's a threat. It's a promise. Commissioner Murray said, well, I'm saying we won't even start our discussions until after y'all have already come out of session. Rep. Mueller said, yes, well, it wouldn't be until after that year. That's when it would take effect. We try not to do it in that budget year because we know that other things have come up and you haven't had time to look at it. We're just saying it'd be a year down the road after that, so I guess it'd be, what? 2002? Commissioner DeLoach said, 2002. Rep. Mueller said, uh huh, rather than in 2001. It wouldn't be effective until July of 2002, if your budget year is in July as ours is.

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, my suggestion would be that we have –, we've had a lot of discussion on this. We already know what we need to do both ways. We know what could happen from the State level from our representatives. We know what our jobs are, and I think we need to do it, and I'm suggesting that we just, you know, look at it and move forward with it. We could discuss it all day and we're still not going to come to a conclusion. We know what the needs are and we know what we can do and what we can't do regardless of how we feel about it. So my suggestion would be, is to take a look at it and do it as soon as we possibly can do it, and then make the, you know, recommendations as to who we're going

to do, whether we're going to do the Sheriff, the Tax Commissioner, both and others, and let's move on with that, and that's my suggestion.

Chairman Hair said, I totally agree, Dr. Thomas, and I believe, correct me if I'm wrong, Mr. Abolt, but I believe we've already asked you to give us a –, several options of implementing the salary study. Haven't I already asked you for that? County Manager Abolt said, you have. You have, sir. Chairman Hair said, so we need to look at those options and if we need additional options, we need to make sure you give us additional options. County Manager Abolt said, yes sir. You have and I'll give you copies. Chairman Hair said, okay. Thank you.

Commissioner DeLoach said, you might –, after you all decide which one you'll end up going with, you might send a copy of that to the State reps and senators so they know that we have a plan in place and how it's going to take effect so when people do go to lobby them, then they'll have something, well, this is what's going to happen basically and then they won't be put under the gun either.

Rep. Mueller said, well, I wouldn't think in any way that we would raise them up to the level of some others. That would be too much to ask. I know there's nobody going to give you a jump for \$50,000. I mean, that would be too much of a jump, but I would like for y'all to set that level, I would like for y'all to do it because, like I say, we have been asked and asked and asked, and if y'all don't, then we'll look at it. We may not pass it, but we will look at it.

Chairman Hair said, and again, in closing I guess, Rep. Mueller, I think the way we're doing this now is the way it should be done. As I said, you know, we've gone to you and y'all have lived up to our wishes, and so I think it's time that we do our part, and I think we have to do that. Anything else you want to talk to us about? Rep. Mueller said, no, I think I've probably said too much already. Chairman Hair said, thanks a lot, Rep. Mueller. I appreciate you being here. Rep. Mueller said, thank you very much, and please look at my paving –. Chairman Hair said, yes. Rep. Mueller said, thank you. Chairman Hair said, we will –, that will be voted on on December 15th one way or the other, up or down. Rep. Mueller asked, do you want me to come back? Chairman Hair said, you're welcome to come back if you want to come back. Commissioner DeLoach said, come back. Rep. Muller said, I thank you. Chairman Hair said, you're welcome any time.

ACTION OF THE BOARD:

Staff was directed to look into the possibility of paving the cut-through road at the Humane Society and paving the parking lot as a complement to that roadway, determining the cost of paving the road, the cost of paving the parking lot and where the money would come, and bring this item back to the Commissioners at the next meeting.

Staff was directed to look at those positions previously recommended for a raise and to furnish a copy of the list with the numbers to the Commissioners and to the local delegation.

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ORDER OF BUSINESS

Chairman Hair said, because we have a conflict with one of the presenters has got to go catch a plane, I'm going to move Item #3 on the Commissioners Items up and then we'll deal with the other.

[NOTE: Item VII-3 was taken out of order and heard at this point on the agenda.]

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VII. COMMISSIONERS' ITEMS

1. RECOGNITION OF GUS HIGHTOWER AND RONNIE TUTEN, PUBLIC WORKS EMPLOYEES IN SOLID WASTE (COMMISSIONER JACKEL).

Chairman Hair recognized Commissioner Jackel.

County Manager Abolt said, Mr. Chairman, as Commissioner Jackel is coming forward, we certainly appreciate the opportunity that Commissioner Jackel has given us to have you recognize employee ingenuity and creativity. To be a little bit flip in my comments, we have a beast and the beast has been tamed. The beast deals with the big grinder that saved us thousands of dollars in our disposal of recyclable yard material, and the gentlemen before you will be introduced by their department head, and they came up with a way of fixing the beast that saved the taxpayers big bucks also.

Commissioner Jackel said, we all received a memo about what went on and how they used their ingenuity and initiative to come up with a program that saved the County a great deal of money, and I thought they just needed additional recognition for doing that, and it's my pleasure to present Gus Hightower and Ronnie Tuten. Explain that a better way.

Mr. Robert Drewry said, well, I don't know if I know any better than what you've already seen in your memo, but the beast has been running nonstop since July of last year, and I want to make two real quick comments about it. Mr. Gus Hightower, this gentleman here, and Mr. Jamie Tillman –, come on up, Jamie –, run the beast and they keep it running. It's a –, the chain, the belt that was mentioned in the memo is a normal wear item and, like I said, it's been running since July, but these gentlemen have to keep it running, and he's got teeth he'll show you. I wanted to bring the belt, but I'm told it weighs about 1300 pounds so I thought I'd leave that there. Mr. Ronnie Tuten said, it's also in operation so we can't bring it. Mr. Drewry said, this is what a new tooth looks like. There are about 60 of those on the machine, and this is a tooth after it's been run a little while. You can see the wear on it, and occasionally you get things like this [indicating] through the machine, a piece of lead here, and you can see the teeth marks on this where it's been hit, and I think that tore up about two dozen teeth, if I'm not mistaken, but these gentlemen got it back running even after that event. A comment I would like to make, it would have been real easy for Mr. Tuten to take the path of least resistance and make a requisition for \$15,000 for a new belt, but because of his initiative and because of these gentlemen's innovation, he chose not to do that. He thought it would be easier just to flip the belt over and reuse it and get another seven or eight hundred hours out of it. So I want to make sure Ronnie [Tuten] gets some recognition on that because, like I said, it would have been real easy for him to make a PO for \$15,000, but he chose not to do that. So thank you very much, Ronnie [Tuten].

Mr. Tuten said, I'd also like to recognize Stuart Chatham of Fleet for their assistance in this endeavor. I did call the manufacturer and the manufacturer told me this would not work. They said it's never been done. We wanted to try it. We have tried it and it is in operation. At this point we have about 40 hours on the belt after we turned it over, so it is working and it is operational, so it has worked. The item that Robert [Drewry] showed you earlier is a metal item that –, metal is a problem for us in the yard waste, and the metals getting into the machine is causing us damage. We're trying to prevent that by inspecting as it comes into the landfills. Our inspections method is still a problem and it is a costly item. This beast is a very high maintenance machine, and we're doing our best to keep the costs down. Thank you.

Chairman Hair said, thank you very much, gentlemen. Keep up the great work that you're doing. Thank you.

Commissioner Jackel said, you know, this is just exactly what we hope our County employees will do, and they're doing just that, and I think all of us as we go around the County from time to time we hear, from people who don't really know our County employees, well, they're not working, they're not trying to cut costs, what difference does it make. But this is a shining example that they do care, that they take initiative, that they're innovative, and just because the company that manufactured it said you can't turn the belt over, why of course they're wanting to sell more belts, why would they be interested in that, they took the initiative and we're glad to have them up here and proud to have y'all working for us. Thank you.

Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy said, I just wanted to say, too, that I hope the newspaper picks this up and prints something real nice about it, and that the County does have a can-do attitude, and we can do it, we just have to have [inaudible].

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2. WILMINGTON ISLAND GARDEN CLUB TOUR OF HOMES - MARIANNE HEIMES (COMMISSIONER MURRAY).

Chairman Hair said, Commissioner Murray is going to introduce Marianne Heimes.

Commissioner Murray said, yes, well, there's a Tour of Homes getting ready to start and Marianne Heimes called and wanted to talk a little bit about that today and so that's why she is on the agenda. If you'd come on up and –.

Ms. Marianne Heimes said, good morning and happy December. I'm not here to ask you for anything. As a matter of fact, I'm here to give you all something. Commissioner Murray said, that's the only reason I said we'd put you on the agenda. Ms. Heimes said, I know that, Frank [Murray]. I have a ticket for each one of you for the Islands –, the Wilmington Island Garden Club Tour of Homes, which is on next Saturday. I thought –, there was quite an article in the *Close-Up* yesterday, and I thought some of you might be interested because two homes in the Turner's Cove development are on the tour and you all heard a lot about those some time back. This is the Garden Club's only fund-raiser. There will be handcrafts for sale, fresh arrangements, fresh wreaths, but I think the other thing that should interest all of you is that this garden club has been active since 1966, and over the years they have done a lot of work on the Islands. They have worked on landscaping and maintaining the Islands Branch Library, they planted trees prior to the Olympics, which are beautiful now. The crepe myrtles in the Summer are gorgeous, and this year in their budget they have included \$3,000 for working on the Islands Branch Library, and I think –, and, of course, the funds from the fund-raiser will go towards that, but I think that a group that does that needs some recognition because they are helping all of us by spending their money on work that otherwise the County would have to do. I hope you come out to the Islands, but I have to warn you, you need to come out early because we have a little more traffic out there than what you might be used to.

Chairman Hair said, thank you, Ms. Heimes. Commissioner Murray said, thank you. Chairman Hair said, we appreciate it and appreciate the work y'all do.

ACTION OF THE BOARD:

Received as information



3. WATER CONSERVATION - PATTY MCINTOSH AND DALE THORPE (COMMISSIONER SAUSSY).

Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy said, thank you, Mr. Chairman. Last week there was an article in the *Connect* paper. I don't know whether any of y'all read it or not, but it's about the water situation in the Middle Region, and I became very concerned about it and have been concerned about it for a number of years now, and it looks like something may happen to come up with what is called a Water Bill of Rights that you have in front of you there, and so I have asked Patty McIntosh from the Georgia Conservancy and Dale Thorpe to speak to us about this situation and possibly we can come up with a resolution approving this thing. Thank you.

Ms. Patty McIntosh said, good morning. I appreciate the opportunity to present the Water Bill of Rights to you for your consideration. Just as a way of a brief background, we're all very well aware that there's some more water supply and water quality problems both here on the coast and statewide. For example, almost half of all coastal estuaries do not meet water quality standards. Across the State, only about 12% of Georgia's rivers and streams have even been assessed for water quality and of those almost 60% do not fully meet water quality standards, and because we sit in the spot where five major river systems flow into our water system, everything everybody does upstream of us affects our water quality so no matter how hard we try to protect our water supply, it is futile if our neighbors to the north and the west aren't held accountable for the actions that they take that affect our resources. Even more alarming is that our State Environmental Protection Division has published in its Water Quality Rules a statement that it's a policy of the State of Georgia that we do not recommend swimming in natural waters, including our beaches and our rivers and streams. EPD has also published an extension set of fish consumption guidelines to make sure we don't take in too many contaminants from the fish found --, found in fish caught in Georgia waters. We have disputes with neighboring states over water allocation from interconnected rivers and aquifers, including our own Floridian aquifer, which is our primary water supply. In response, Governor Barnes has declared that his administration will focus on water in this upcoming legislative session and has proposed a coordinated plan for water and wastewater in the State. Concerned with these same issues, a coalition of about 60 different citizen and conservation groups with

advise from scientific experts, the business community and the academic community, drafted the Georgia Water Bill of Rights this past Summer to offer to the Governor as a foundation upon which he can base his proposals. The Water Bill of Rights consists of nine basic principles that address water quality and the equitable and responsible use of water by all water users. The principles that are set forth are put in plain language to serve as standards against which any upcoming legislation, rules or policies and plans can be measured. And just to go through these real quickly, you have them on the second page of your package, they recognize –, the Water Bill of Rights recognizes that water is a public resource to be held in trust by the State to be managed to the best interest of the public; that water resource use must be sustainable; it recognizes that we all live downstream. Those above us need to be responsible for what they do to us. We need to be responsible for what we do to those downstream. The Bill of Rights recognizes that economic prosperity depends on clean water; that water policy decisions must be just and equitable and that no person or community should bear a disproportionate share of any burden resulting from the water use of others. It recognizes property rights, but with that an amount of responsibility in using water. It recognizes water resource protection through law enforcement; in the public's right to know; and in accountability. Almost a million citizens in the State have given their support to the principles embodied in the Georgia Water Bill of Rights, and we'd like to urge the Chatham County Commission to read, consider and endorse these principles and join other local governments that we have listed on your, I believe, the first page throughout the State that have adopted resolutions that signify that support. To run through these –, to tell you what you've got in front of you, the first page is just an update on where this is now. We are hoping to reach a million people signing on so we can present this to the Governor. He is aware of it and is ready for it. He's got a list of some of our local delegation and local representatives that have signed on, a partial list of groups, community groups around the State that have signed on. I'd be glad to answer any questions that you might have.

Chairman Hair asked, does anybody have any questions for Ms. McIntosh?

Commissioner Saussy said, I think this is a very important Bill of Rights and I really do think that we should endorse it as other governments and people in government including Anne Mueller have endorsed it. I would like to make a motion, if I could, to –, for us to endorse this Bill of Rights. Chairman Hair said, okay. We have a motion, do we have a second? Commissioners Rivers and Thomas said, second. Chairman Hair asked, any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Price was not present.] Chairman Hair said, the motion passes. Ms. McIntosh said, thank you. Chairman Hair said, thank you, Ms. McIntosh. Now you can make your plane.

ACTION OF THE BOARD:

Commissioner Saussy moved that the Board endorse the Georgia Water Bill of Rights. Commissioners Rivers and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Price was not present.]

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CHATHAM AREA TRANSIT AUTHORITY

The Board recessed as the County Commission at 10:05 a.m., and reconvened as the Chatham Area Transit Authority.

The Chatham Area Transit Authority was adjourned and the Board reconvened as the County Commission at 11:25 a.m.

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VIII. TABLED/POSTPONED ITEMS

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

None.

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ORDER OF BUSINESS

Chairman Hair said, without objection I'm going to go to Second Readings, number four.

[NOTE: The order of business was changed and Item XII-4 was heard at this point on the agenda.]

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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: REQUEST BOARD APPROVAL OF THE FOLLOWING: A GENERAL FUND M & O BUDGET AMENDMENT TO RECOGNIZE \$1,500 IN REVENUE FROM STATE OF GEORGIA FUNDS AND TO APPROPRIATE \$1,500 TO SUPERIOR COURT FOR SALARY AND BENEFITS, A TRANSFER OF \$5,000 FROM THE 1985-1993 SPLOST RESERVE FOR VARIOUS COUNTY ROADS FOR FALLOWFIELD DRIVE, AND A TRANSFER OF \$10,000 FROM THE 1985-1993 SPLOST, US80/JOHNNY MERCER FLYOVER TO ROBERT MCCORKLE, SR., BIKEWAY PROJECT.**

Chairman Hair said, I'll entertain a motion to approve. Commissioner Odell said, so moved. Commissioner Thomas said, motion and a second. Any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Price and DeLoach were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved that the Board approve the following: a General Fund M&O budget amendment to recognize \$1,500 in revenue from State of Georgia funds and to appropriate \$1,500 to Superior Court for salary and benefits, a transfer of \$5,000 from the 1985-1993 SPLOST Reserve for Various County Roads for Fallowfield Drive, and a transfer of \$10,000 from the 1985-1993 SPLOST, US80/Johnny Mercer Flyover to Robert McCorkle, Sr., Bikeway Project. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Price and DeLoach were not present.]

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2. REQUEST BOARD APPROVAL FOR A \$50,000 TRANSFER OF SSD CONTINGENCY, CHANGE ORDER #1 WITH MYERS AND SON IN THE AMOUNT OF \$44,555, AND A BUDGET AMENDMENT FOR THE COUNTY-WIDE CANAL MAINTENANCE PROGRAM.

Chairman Hair said, I'll entertain a motion. Chairman Hair said, move for approval. Chairman Hair asked, second? Commissioner Saussy said, second. Chairman Hair said, second and a question. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, can you tell us why we came up short that? County Manager Abolt said, it was an error at staff level. In computing what revenue we thought we had, we didn't have for making full commitment to your top -, one of your top three goals. Mr. Drewry acknowledged the error. He also is taking leadership and we're solving the problem with the -, within the Public Works Department. The only exception is that there is a Contingency transfer needed to come up with the total of \$340,000. The extent of the budget amendments deals not only with the SSD Contingency, but also the action Mr. Drewry has taken to come up with the balance, like I said, of the amount needed: \$340,000.

Chairman Hair said, all right, we have a motion and a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Price and DeLoach were not present.] Chairman Hair said, the motion passes. I will just comment though, that's a pretty significant error. County Manager Abolt said, we understand, sir.

ACTION OF THE BOARD:

Commissioner Odell moved that the Board approve a \$50,000 transfer of SSD Contingency, Change Order #1 with Myers and Son in the amount of \$44,555, and a budget amendment for the County-wide

Canal Maintenance Program.. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Price and DeLoach were not present.]

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3. YEAR END JUNE 30, 2000, FUND BALANCE RECONCILIATIONS BASED ON AUDIT, BUDGET AMENDMENT AND BUDGET ADOPTIONS FOR ENCUMBRANCES, INCOMPLETE PROJECTS/EQUIPMENT PURCHASES AND FUND BALANCE RESERVES AT YEAR END 2000 FOR ALL FUNDS.

Chairman Hair said, I'll entertain a motion to approve. Do I have a motion? Commissioner Odell said, moved for approval. Chairman Hair asked, do I have a second? Commissioner Saussy said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Price and DeLoach were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the year end June 30, 2000, fund balance reconciliations based on audit, budget amendment and budget adoptions for encumbrances, incomplete projects/equipment purchases and fund balance reserves at year end 2000 for all funds. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Price and DeLoach were not present.]

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4. PRESENTATION TO THE BOARD OF THE COUNTY'S AUDITED COMPREHENSIVE ANNUAL FINANCIAL REPORT AND MANAGEMENT LETTER FOR FISCAL YEAR ENDED JUNE 30, 2000, AND THE CHANGES IN FINANCIAL CONDITION. THE AUDITOR WILL BE PRESENT.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, gentlemen, this is your opportunity to hear from the external auditors based on the work they've done to date in wrapping the audit for our short fiscal year. In addition, we've provided an on-point response from each of the affected departments regarding comments within the management letter. The action you've just taken on number three is the first step towards finalizing the work of the auditors, which is very important. As you know, I'm very much

concerned and want to make sure that you, as the Commission, have every opportunity to ask questions of the external auditors.

Chairman Hair asked, who's going to make the presentation? Nobody? County Manager Abolt said, no presentation, sir, it will be only questions you might have or whatever your preference might be. Chairman Hair said, I have looked at it very carefully. I don't have any questions. Does anybody else have any questions? All right.

Commissioner Jackel said, I would –, I'd like to hear them tell us maybe some –. I looked at it, too, but –. Chairman Hair asked, what do you want to hear? Commissioner Jackel said, I want to hear that we're doing really well or if any –, where a problem area is or whatever advice that they can give us. Commissioner Odell said, you want a summary. Chairman Hair said, well, you know –. Commissioner Jackel said, well, not so much a summary. I –. Chairman Hair said, we are going to have a presentation probably –, possibly at our next meeting and, if not, at certainly the first meeting January on –, from our financial advisers that I think will get at what you're interested in more so than the auditors. Commissioner Jackel said, our auditors are here. I'd like to –, if there's something –. Chairman Hair said, well, what –. Commissioner Jackel said, if there's something they want to tell us, I'd like to hear it. Chairman Hair said, well, if you want a clean –. What do you want to know? We just can't give a, a 45-minute presentation for you.

Commissioner Saussy said, well, I'd like to know something about the deficits myself. Chairman Hair said, okay. Commissioner Murray said, ask questions. Chairman Hair said, why don't you just come forward, somebody from the auditor's staff come forward and just let –, I'll recognize Commissioner Jackel to ask you some questions, and then Commissioner Saussy.

Commissioner Jackel said, there's just –, I read your report. If there's something in there that you –, or else other than that that you want to point out to us or you think we ought to take special notice of it.

Mr. Rick Tindol asked, do you want me to just characterize generally where I think we are, or –. Commissioner Saussy said, that would be good. Mr. Tindol said, I think, as you well know you're in a situation where each year it gets tighter and tighter and more and more difficult decisions are made as far as balancing your budget. I think one comment that I would make that's already under the comments and recommendations is seriously consider a fund balance policy. I'm sure your financial advisers when you meet, as Russ [Abolt] mentioned earlier and the Chairman mentioned, I'm sure they're going to recommend the same type thing. Commissioner Jackel asked, what level would you recommend that at? Mr. Tindol said, Commissioner, it's really –, it really depends upon what you have going on and all. When you talk about fund balance, anywhere from a percentage, five percent to even, you know, ten or fifteen percent of your next year's expenditures. I'd be happy to provide the Commission with various percentages and some other entities that use them. For example, as the Chairman well knows, the

School Board has a very significant fund balance policy. I think it's seven and a half to ten percent, I believe, of the subsequent year's expenditures, so it really depends upon the —, what you have coming up in your plans and goals for the future.

Chairman Hair said, it also depends upon philosophy too, to some extent. Certainly you have to have a minimum fund balance to cover contingencies or any unexpected expenses, but at some point in time that fund balance gets to be to the point where you're sitting there earning —, money in the bank on earning interest on, but it's really not —, but remember to create a fund balance of 15 million dollars we've got to take that 15 million dollars away from taxpayers. That's how you create a fund balance. Commissioner Jackel said, well, I understand that. Chairman Hair said, so, you know, it really is a philosophical argument as how much money —, are we in the investment business or are we in the public service business. So I think financial advisers tend to always opt —, they feel much better about having this huge sum of money. I mean, I'd feel a lot better if I have \$100,000 in my checking account today too, but I don't. But, you know, so I just think it —, it is, as you stated, a function of what your contingencies are and what your risk liabilities are, but it's also a function, probably moreso of how much is enough, and you would never get —, you couldn't get 10 financial advisers in a room and they would —, none of them would agree on what fund balance you need.

Commissioner Odell asked, what about our bond representative, our ability to go in and —? Chairman Hair said, we're going to have a meeting next week with our financial advisers, and probably at our December 15th meeting ask them to come and, I think, address that issue. I don't think they're prepared to do it yet, but just the County Manager and myself will be meeting with them, I think it's Tuesday or Wednesday of next week, and I'm going to recommend that they come to the Commission meeting on the 15th and deal with these issues as well as answer any questions the Commissioners might have. Commissioner Odell asked, can we notify the addition —, the Commissioners-Elect about this so that they can be here? County Manager Abolt said, they are fully advised. Of course, they get a copy of the agenda. With the permission of the Chairman, I might add, the Board does have an adopted fund balance policy and, in effect, you know, the policy's been in effect now for about nine years. You're looking at a one to three months or five percent of your expenditures, but as the Chairman has so well said, when you look at your priorities, you've made certain decisions and those decisions are, as again the Chairman has indicated, to provide top-shelf services at bottom-shelf prices. You had a number four goal of your top four goals in the last session, you wanted to ensure financial stability, and eventually no doubt you'll get there, but the issue has been providing value back to the taxpayer. When you listen to your financial advisers, and they're very good, please understand they come from the prospective of wanting to insure investors that Chatham County is a good risk. I have never seen anything in this Board or previous County Commissions that has led me to believe that Chatham County was not a good risk. The Chairman has said, repeatedly if there were a need to address any unforeseen emergency, this Board would take whatever steps are necessary to fill your obligations.

Chairman Hair said, I've also, as an ex-banker myself, I can tell you that you can't ever make bankers feel comfortable. I mean, if you're going to borrow money and you say I'm going to give you ten percent equity, they'd much rather have forty percent equity, and I understand that, but that doesn't mean that the risk goes up proportionately or down proportionately with that amount, so I just think that the financial advisers on the 15th probably will say the same thing they always say. They were here last year, and they're saying it sure would be nice if you guys had a 15 million dollar fund balance. Well, I mean, that would be nice, but I just think we have to, as elected officials, we have to balance the wishes of a financial adviser with the fact that we really serve the taxpayers, and I have repeatedly stated my opposition to huge fund balances, and to me huge means any balance that's really not necessary to protect the budget, and so I think it's just going to always boil down to what auditors and what financial advisers say based on their opinion, and I think that's the final thing I'll say about it is that when a financial adviser comes to us on the 15th and says, I think you guys should have 20 million fund balance, remember that is an opinion, that's not a fact. That's —, because I'm going to promise you I can get one next week that will say you should have a 2 million dollar fund balance. So I think it's, when we're discussing these issues, we have to separate opinion from fact, and fact is how much do you need to preserve the fiscal integrity of the County, and I don't think there's a Commissioner sitting up here now or in January that would ever say if we got into a bind, you know, would we be able to raise the money, and of course the answer to that is of course we would be able to raise the money, but do we —, are we in the investment business, and I have always stated that I don't think we are. So, any other questions of the auditor? Again, as I said, we will have the financial advisers here on the 15th. Chairman Hair recognized Commissioner Saussy.

Commissioner Saussy said, yes, I can agree with some of this stuff that you're saying, but also, as we all know, the reserves that we have also play on the bond rating. Chairman Hair said, correct. Commissioner Saussy said, and so that does have something to do and that is taxpayer money that we're paying out. There's just a couple of things I'd like on that. Due to this change in the fiscal year we had some problems there and I'd just —, if you would explain that to me I'd appreciate it.

Mr. Tindol said, sure. One problem that happens with the change of the fiscal year causes a —, basically a timing issue. With the June 30th cutoff, the fact that the personal property taxes are not billed on first installment, they're billed on the second installment, and therefore a June 30th puts you in a situation where you're short roughly half of the 13 million dollar personal property taxes, which are for the entire year. Now all other things being equal, that 6½ million, 50% of the 13 million, should come in at the second half of the year so at December 31 you'd be back even with the board. Of course, come June 30th of the following year again it puts you in a tight situation there. So this is what's happened essentially is that —.

Commissioner Saussy asked, is this going to be an on-going thing every year? Mr. Tindol said, it's going to be an on-going thing. It's one that we've had, I guess, four or five meetings with staff and Russ

[Abolt] and Jonathan Hart and all to discuss go-forward plans, and that's what I was mentioning before. We're going to have some tight fiscal —, and you've done a real good job of maintaining tight fiscal responsibility and, you know, not raising taxes there. You're to be commended for that, but you're going to be faced still with more difficult situations as time goes on. Commissioner Saussy asked, well, should we not go to —, should we go to a different funding method from —, instead of twice a year, one time a year or something else, some different times? Mr. Tindol said, Commissioner, going to one time a year is really not going to help. Actually this —, I could go back and spend a lot of time going over the history of this thing, but it's back when Barbara Kiley was Tax Commissioner and a different group of you were sitting up here. As far as trying to increase cash flow, the idea was coming along that Chatham County go to a two-installment billing and, as a matter, we were probably the first county in the State, Shot [Hart], I believe, to actually go with this two-installment billing, and this has improved cash flows for the County and allows you again to save on the interest that you'd otherwise be going out to the market and doing TAN's and so forth. So I think you're doing all that you can do given the set of circumstances and the fact that the property tax calendar, unless there's some major changes there, and there are some discussions about personal property taxes and the method of which, you know, the reports that businesses and individuals have to file, and that's the real, the real stumbling block, as I see it right now, that's holding us back from doing the personal property taxes on the first installment, which would again give you additional cash flows and alleviate this problem we have now. So maybe there's some bright light in the future on that, but as we stand right now I think we're doing the best we can under our current situation. Commissioner Saussy asked, so are you saying that maybe we need to change the return method? Mr. Tindol said, I think if we had an accelerated situation such that we could have these personal property tax returns —, of course, the values are as of January 1 each year. You've got April 1 to make your return and actually I think you've got until May 1 to do some of the freeport exemption type things, so in order to get the personal property billed on time, you've got an April 1 deadline, the first installment bills have to be billed 60 days, the bills have to go out 60 days before the due date. So April 1 doesn't leave you enough time to really get those things billed. Gary Udinsky, I think, is in the audience and he could probably speak to it better than I can, but there's just no way physically that you can do a current personal property first installment billing without having a tremendous number of refunds to occur, and that impacts the Tax Commissioner and he has to write 10 —, I know back when Barbara Kiley first did it that first year, there was over 10,000 refund checks that had to be done, and so rather than just scrapping the whole system, she came back to the Commission and said, look, this is going to be unworkable, we need to bypass this personal property on the first installment and bill them all the second installment, which is the system we've worked with some two decades now. As a matter of fact, I believe on your agenda this Article 7 of the Revenue Tax Ordinance is on the agenda, I think, for modification that your attorney is going to bring to you in just a minute.

Chairman Hair said, and also I would say to Commissioner Saussy, I mean, if you —, this is another one of those warm fuzzy feel-goods more-so than is it really damaging anything. It's —, I think we need to be very careful about tampering with the collections and making sure that we don't make the problem worse

instead of better. So I think that if we make sound decisions in terms of establishing the millage rate based on the budget—, projected budget expenditures, then that reduces the risk almost to zero of what the auditor is talking about. It would only cause a problem is [sic] if we were too conservative on the millage or too aggressive on the budget and then we didn't get that 15 million dollars we were expecting to get and we only got 13½ million. So I think as long as we do good staff work at David's [Persaud] level and we set the proper millage based on the proper budget, there again it's one of those things the financial people will put a little —, they're covering their rear end and they're going to put that in your audit report every year, but the truth is there's virtually no risk there. I mean, it's —, I mean, unless the timing went in the tank in three months or, you know, those kinds of things certainly could happen, but, you know, again you don't lay awake at night worrying about those kinds of things.

Commissioner Saussy said, the only other thing I had and I guess it's on this thing with the Sheriff and the bank deposits there, and I assume he's corrected those. County Manager Abolt said, we have an enumeration from each of the departments plus, I believe, most if not all of them are present to respond if you so choose. Commissioner Saussy said, thank you.

Chairman Hair said, thank you. Thank you ver much. Mr. Tindol said, thank you.

ACTION OF THE BOARD:

Received as information.

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5. REQUEST BOARD ENDORSE IN CONCEPT ESTABLISHING A GOVERNMENTAL SPECIAL REVENUE FUND FOR ENGINEERING SERVICES.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman and members of the Board, this is a continuation of some discussion we had a number of weeks ago on some innovations the staff have been working on to shift from a continued reliance on property tax in a variety of our departments. As you recall, during the last session you took a major step, have fee-based services primarily in MPC and some aspects of Engineering. With your permission, staff would like to in concept follow through with guidance from you and create an opportunity of revenue coming into the Engineering Department that would be generated by the design and construction of certain projects that could legitimately be financed through SPLOST, that are financed by SPLOST, and in fact the private sector is quite frankly full plus on their plate from the

standpoint of work that they can get done. Mr. Bungard can do this work, we can rearrange staff, hire additional staff where necessary, fund it through the revenues that would have gone to the private sector to design and monitor construction. There's no profit so, in effect, you know, there would be a savings from the standpoint of the overall project cost. We'd have a reasonably reliable source of revenue that we could begin to augment funding of the Engineering Department. Also tied to that, if the projects aren't there, the people aren't there. So, any expansion to the staffing of Engineering, just like in the private sector, would be there as long as the work is there. If it's not, then it goes away.

Chairman Hair said, I think this is a great concept, but I want to make sure we don't lose sight of one of the things that I think's the most important is we cannot —, we cannot be afraid of privatizing —. County Manager Abolt said, yes sir. Chairman Hair said, this service, particularly on the excess and the type —, and I don't want us to get in a situation where we try to solve this problem by creating the fund and all we do is we pay our existing workers overtime. I think we've got to be cost effective, and I think the best way to do that is to privatize this. A number of counties in Georgia have already done it, and we've got to be careful that we don't get resistance from people because they say it's not as good or it's not as cost effective and we really can't back that up.

County Manager Abolt said, yes sir, I agree with you a hundred percent. We should be fully accountable. Also, I would not recommend it were it not for the fact and it's readily apparent to all who watch this that the private sector has been working on SPLOST projects now since 1985, and from my testing of it they seem to be more than full from the standpoint of the projects before them. In fact, many of our projects have been slipping behind schedule as a result of that heavy load.

Chairman Hair said, but my point is this, Russ [Abolt] —. County Manager Abolt said, yes sir. Chairman Hair said, we're doing this to try to improve the service to the public. County Manager Abolt said, that's correct, sir. Chairman Hair said, and if three months from now I'm getting the same calls I'm getting now from how long it takes to review things and yet we're charging higher fees, I'm going to have a serious problem. County Manager Abolt said, yes sir, yes. Chairman Hair said, okay, and I'm telling you in advance. County Manager Abolt said, I hear you, you're very clear —. Chairman Hair said, the idea is if we're going to raise the fees on people, we should give them better service and faster service. Now we can't raise the fees and give the same level of service. County Manager Abolt said, no sir. If I may, I may have misspoke and I don't want —, mean to do that. This has nothing to do with the fees for services. Chairman Hair said, I understand that, but I'm just telling you that there —. County Manager Abolt said, we stand fully accountable. Chairman Hair said, yes. Okay, that's all I'm saying.

Chairman Hair said, okay, I'll entertain a motion to endorse that. Do we need a motion? County Manager Abolt said, I'd appreciate it, sir. Chairman Hair said, okay. County Manager Abolt said, conceptual approval. Commissioner Odell said, motion to approve. Chairman Hair asked, second?

Commissioner Rivers said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

ACTION OF THE BOARD:

Commissioner Odell moved to endorse in concept establishing a Governmental Special Revenue Fund for Engineering Services. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]



6. ABILITY TO ALLOW HOMESTEAD EXEMPTION BEYOND THREE-YEAR STATUTORY PERIOD.

County Attorney Hart said, this is an issue that came to –, when a lady asked for possible refund of taxes. Through no fault of her own there was a modification with her tax exemption, her homestead fell off. This has been down one time before before the Commission and we had recommended that we rebate her under the tax refund statute the full three years that was allowed by law. At that time an issue was raised concerning another taxpayer a number of years ago in which he had paid taxes on a piece of property for some 20-some years, and at that time the method was handled by refunding him some interest on unrebated principal. I was unfamiliar with it since it predated my tenure as the County Attorney. We went back and found the file, researched it and compared it to what we had already said. I spoke to the Department of Revenue and the Attorney General’s Office and basically arrived, after a convoluted period, of coming back to the same period that the statute is very clear that we can refund taxes for three years and not more than that. The last term of the Legislature, the State Legislature tried to amend that to allow seven years. It was voted down, so we have a Legislative intent of not to expand it beyond the three years, and the other situation predated the *Eastern Air Lines v. Fulton* case that seems to affirm the previous County Attorney’s opinion that was not available at that time. In the course of researching it, I did find that from the date of her demand for refund we could refund the full the full three years plus any interest that accrued from the date of demand until the actual refund, which would bring about another \$15 or \$20 worth of refund, but beyond that, you know, you’re pretty well locked in to what the statute says.

Chairman Hair said, but basically three years is three years, and we really don’t have the legal authority to go beyond three years. County Attorney Hart said, correct. Chairman Hair said, which says that if we get those kind of requests we need to make sure the taxpayer understands that. County Attorney Hart said, legally the Commission is doing everything it can do. I’m sorry –, you know, it’s not a situation where this lady caused this to come upon herself, and I’m very sympathetic towards her. Chairman Hair

said, we don't need to take a motion, that's just information. Is that correct? County Attorney Hart said, well, if you want to rebate the interest, you need to pass a motion to rebate the interest, and I recommend that that be done. Chairman Hair said, okay.

Commissioner Odell said, for clarification. Are we rebating interest from the date of the demand forward or for the three year period. Commissioner Saussy said, just the three year period, which is -. County Attorney Hart said, the date of the demand forward is the case law. I know what you're getting at. You would think we ought to be able to do it from the time she made the payment, but unfortunately this *Eastern Air Lines* case involving -. Commissioner Odell said, so it's from the time of the demand. County Attorney Hart said, demand or when she brought it to the attention of the Commission. Chairman Hair said, so it would be less than three years. County Attorney Hart said, yes.

Chairman Hair said, all right. I'll entertain a motion to approve that. Commissioner Odell said, move for approval. Chairman Hair asked, second? Commissioner Rivers said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]
Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved to approve a refund to Betty Hendley for tax years 1994 through 1997 together with interest at the rate of seven percent (7%) per annum from the date of the demand for a refund. Commissioner Rivers seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]



7. REQUEST BOARD APPROVAL TO ADD AND FILL A NEW CODE INSPECTOR I POSITION TO AUGMENT QUALITY CONTROL OF INSPECTION SERVICES.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, this is a continuation of our efforts to bolster or strengthen our quality control over inspections. There will be many more of such actions, not necessarily budgetary, coming forward at your next meeting. This is an outgrowth for a very reasonable request, but also an extremely felt need that we should have regular supervision of our inspectors in the field and, in

effect, checking what is going on in the field from the standpoint of the work that they're doing. We have the Assistant Director of Inspections, who does this one day a week. This budgetary action would allow the creation of a new position, Code Inspector I, relieving a Code Inspector II, who's very seasoned and well familiar with the work of all inspectors, to do five-day a week, in effect, monitoring and quality control supervision. This is done with the budgetary impact certainly of funding inspections, which comes through fees. I think it's a very reasonable request, very complimentary to the quality control emphasis that you wish us to place on this operation. Also, I might add that Commissioner Murray talked to me yesterday. If you all would like a further brief on where we are in completion of our investigation of three or four locations for which we will complete written response before two weeks from now, we can do that now at your pleasure.

Chairman Hair said, before I recognize Commissioner Murray, if we approve this item can you tell us, as the Manager, that we will have fewer and fewer problems than we've had in the past? County Manager Abolt said, yes sir. Yes sir. Not only that, you're going to find probably, I'll have to make sure we understand our definition of problems, you'll probably be receiving more complaints from some sectors of the building community as to the very thorough way in which we're inspecting structures. Chairman Hair said, no, I'm talking about the problems that we have –. County Manager Abolt said, the consumer protection will be at a heightened level. Chairman Hair said, okay.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, my question was, and I did request yesterday that this –, we have an update in Executive Session. I was told we couldn't have the update in Executive Session, it had to be in open meeting, which is fine with me. I still feel like it needs to be aired in Executive Session. There are two property owners who have already retained attorneys and we will probably be in litigation with them, but if you want to discuss that in open meeting, then we can have at it if that's y'all pleasure.

Chairman Hair asked, Mr. Hart, what's your ruling on that one? County Attorney Hart said, this is news to me. County Manager Abolt said, I wasn't able to advise Jon [Hart] as to the potential litigation. Chairman Hair said, all right, I'll tell you what we'll do, Commissioner Murray –. County Manager Abolt said, if y'all feel strongly enough to go into Executive Session, that's pending litigation. Chairman Hair asked, why don't we inform the attorney of the two cases and then let him rule at our December 15th meeting and we can do them in Executive Session or not Executive Session? County Manager Abolt said, we will have for your benefit the complete wrap-up on everything we know about each one of these issues before the 15th. Chairman Hair said, but the issue though –, he's raising a very good issue. The issue is can you do it –. County Attorney Hart said, if there are people that have gone ahead and secured attorneys to litigate with us on this, any comments I'd make I'd prefer to make in Executive Session. Chairman Hair said, okay. Very good.

Commissioner Murray said, so in other words, we will have to wait two weeks to discuss this. Is that what you're saying? County Attorney Hart said, well, if you want to go into —. I don't know what's going to be discussed in Executive Session. Commissioner Murray said, if we wait two weeks, what I will expect from staff in two weeks is to have everything that's supposed to have been done, to have the property owners that have been involved in these properties that we've looked at give a report also, the full-blown everything. We've had it. We've been through this thing on and on and on and it keeps growing and we still keep getting complaints, and here we're asked to hire another person that's going to stop all this. That's well and good to say that. I don't think it's going to happen. I don't have that much faith in what we're doing right now to think that this, one person is going to stop all of it. So if you can have all that ready in two weeks for our Executive Session, let's go in Executive Session and do it. Otherwise, we'll do it with everybody sitting here, the TV cameras and all because I've had enough of it and I'm ready to get it over with.

Chairman Hair said, I have a follow-up question for the County Manager. You stated a while ago when I —, in response to my question about if we were going to have a quality control person the problems should go down, and you made a statement, and I want to make sure I understand your statement, that the building community might complain more. I don't understand what you mean by that. County Manager Abolt said, the issue, and this is from my work in the —, my observance of work in the field, we have not been necessarily attentive to picking up all the discrepancies we should pick up, so those in the building —, in the business of building homes, when you say will the problems go away, I cannot say the problems will go away from the standpoint if you measure it by telephone calls to you or members of the Board from members of that industry. For example, one of my recommendations to you on the 15th will ask to go to the Legislature again to license all homebuilders. The second will be to in effect not allow or do all we can to discourage the closing on property where that property has yet to be received a certificate of occupancy. On the consumer side of it, I would hope that they would be more appreciative of that, but from the standpoint of potential complaints, they would fall in two general categories: one, builders may come and say why are we being so strict in our enforcement, or a potential homeowner might come and say why are we waiting so long for me to close my house because there's no certificate of occupancy. Chairman Hair said, but that argument, Russ [Abolt], makes the assumption that the problems are the builders and the problem's not the quality of the inspection. County Manager Abolt said, yes sir. Chairman Hair said, well, I don't agree with that.

Commissioner Odell said, it would have to be the builder because we don't —, we do not construct anything. If there's a problem in construction, it's with the builders.

Chairman Hair said, let me give you an example of what I'm talking about, Commissioner Odell. Commissioner Odell said, okay. Chairman Hair said, get this phone call from the homeowner and the inspector goes out there and says —, what do you call the weeping vents or whatever? County Manager Abolt said, hydrostatic vents. Chairman Hair said, hydrostatic vents you're going to have to say

[inaudible] spend \$500 to fix your hydrostatic vents because they don't meet code. Well, guess what? The inspector went out there when they gave him a certificate of occupancy and said those hydrostatic vents were just fine, and then we go back a month later and say you can't do that, you know. That's not a builder quality problem. Commissioner Odell said, I agree. Chairman Hair said, that's my point, and the kind of complaints that Commissioner Murray is talking about and the kind of complaints that I get from homeowners and the kind of complaints that I've had myself, it's not quality of building, it's the quality of inspections. County Manager Abolt said, sir, I don't disagree with you, but my experience now, and I've been going at it, you know, fairly regularly, I would not absolve the building community from their responsibility. Chairman Hair said, I'm not saying to absolve them, and the builders should be held accountable for their work, but that's not what's generating the complaints. County Manager Abolt said, I understand, sir. Chairman Hair said, to us. It's not –, I can't even remember the last time I got a call from a citizen complaining about the quality of the work. It's just the fact that we inspect one time, we tell the person one thing. We go back two weeks later and tell the person something totally different. That's what I'm talking about. County Manager Abolt said, I understand. Chairman Hair said, and that's not going to be solved by passing –, licensing builders, you know, or requiring the fact that you can't close on your house until the C/O is there. County Manager Abolt said, but, sir, with the problem –, yes sir, I agree with that and I don't want to be argumentative, I'd never be that, but this problem is laid in large part to getting that –, observing problems in construction before either they're covered up or, as is the case unfortunately too much, that houses are actually sold to property owners, future property owners, people move in, they're not aware of the fact that there's no certificate of occupancy and there is –, there seems to be a strategy to do just that, to avoid the consequences of being caught, covering up problems that sometimes are not found for months if not years later.

Chairman Hair said, Commissioner Rivers and then Commissioner Saussy.

Commissioner Rivers said, I –, you know, I don't get too many calls because I guess all the construction is going in and around the unincorporated area and that's where most of the complaints probably are generated from. Chairman Hair said, I'll be happy to give them your phone number. Commissioner Rivers said, my phone number's in the book. I get enough. I'm probably more busier [sic] with non-Commission things than any other Commissioner in here. They know where to find me. They even find me on the street when I'm walking. If I walk out of here now, it'll take me about an hour to get to my place of business, but nevertheless what I want to say is what is the problem? If y'all got a problem that it's the inspectors, then if our quality of inspectors is not good, then we need to retrain those inspectors or hire better quality inspectors. What is the problem? Let's get to the bottom, to the root of it and eliminate that so we won't have to be coming back with all of this and him recommending licensing and all that if that's not the particular problem. If the problem lies within the inspectors, then we need better inspectors. Is that the problem or what is the problem? County Manager Abolt said, I can –.

Commissioner Murray said, I would much rather continue this problem in the Executive Session. Commissioner Rivers said, okay. Commissioner Murray said, I think that's where it needs to be. Commissioner Rivers said, okay. Commissioner Murray said, and if we can't resolve it there, then we

can resolve it out here. I do have one question though. Do we have inspectors that are plumbers that are doing electrical inspections, or the electrical inspectors that are doing framing inspections, things like that? Are they inspecting the things they're qualified to inspect or they inspecting anything in that house? County Manager Abolt said, I'll have to defer to Mr. Anderson, but they should not be inspecting anything they're not –. Commissioner Murray said, well, I'm not saying should, I'm saying are they or are they not. County Manager Abolt said, I would defer to Mr. Anderson. I'm not aware of any situation, I believe steps have been taken to stop that, but –.

Chairman Hair asked, Mr. Anderson, can you answer Commissioner Murray's question? Mr. Gregori Anderson said, yes, I can. All inspectors are cross-trained. We have inspectors that are certified as CABO, what's called CABO one and two dwelling family dwelling inspectors. Under that certification they are qualified and certified to inspect those major disciplines, electrical, plumbing, mechanical, and structural in a single-family house. Their particular background may be electrical or plumbing, what they did in a previous life, but they are certified to do the inspections that they are currently doing. Commissioner Murray asked, where do they get the certification? Mr. Anderson said, through our organization that writes our code books. Commissioner Murray asked, what do they have to do to get the certification? Mr. Anderson said, they have to pass a test, a competency test.

Commissioner Rivers asked, is there any kind of training that they received? Mr. Anderson said, yes. We send them to –, we have both an in-house training program and a formal training program that they go to prior to taking the exam.

Commissioner Odell asked, [inaudible]. Chairman Hair said, Commissioner Saussy has a question. Commissioner Saussy said, yes, I've just got a question. Are all electricians in the County licensed and all the plumbers licensed? Commissioner Murray said, they're supposed to be. Commissioner Saussy asked, well, why aren't homeowners –, homebuilders licensed? Commissioner Murray said, it's a good lobbying group.

County Manager Abolt said, if I may on that, Mr. Chairman. Again, the previous County Commission, some of you may remember that, advocated that statewide there would be licensing, you know, of just what you're talking about, and that was not successful. I'm calling for a re-initiation of that. I also want to add, and I realize Commissioner Murray has –, is privy to certain information I may not be, staff is not shirking from public discussion on this. The credibility of our inspections operation and concern for life safety is such that certainly things that are related to Executive Session should be within there, but there is nothing that I have seen so far from the standpoint of our revelation our mea culpa our listing of where we erred that could not be aired in public.

Chairman Hair said, okay. Commissioner Saussy said, but I still –. Chairman Hair said, we're going to deal with that in two weeks. Commissioner Saussy said, well, I still want to know about why –, what's wrong with licensing homebuilders? Chairman Hair said, well, we're not here –, that's not even, that item's not even on the agenda, Commissioner Saussy. It will be on the agenda, but it's not on the

agenda now. I guess it's an opinion thing. Some people think they should be and some people think they should not be, so –. Commissioner Saussy said, well, most professions are. Chairman Hair said, okay. I'll entertain a motion to approve or disapprove this item.

Commissioner Odell said, I'll make a motion to approve. Chairman Hair asked, do I have a second? Commissioner Jackel said, I'll second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Odell and Thomas voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioners Price and DeLoach were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved to approve adding and filling a new ode Inspector I position to augment quality control of inspection service. Commissioner Jackel seconded the motion. Chairman Hair and Commissioners Saussy, Rivers, Jackel, Odell and Thomas voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioners Price and DeLoach were not present.]

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8. REQUEST BOARD ADOPT THE CHATHAM COUNTY COMPREHENSIVE WATER SUPPLY MANAGEMENT PLAN. STAFF IS PREPARED FOR A BRIEF PRESENTATION.

Mr. Clyde Wester said, Mr. Chairman, the Metropolitan Planning Commission has requested that the County Commissioners –, or recommended that the County Commissioners adopt an update to the 1995 Chatham County Water Supply Management Process –, Plan. The County plan was originally adopted by the County in 1995 and it's also been adopted by all eight municipalities within the County. The Georgia Environmental Protection Division has now required that 24 counties in coastal Georgia prepare water supply management plans. We are the only one of those 24 counties that has an approved plan, so therefore we're doing essentially an update. The update will be presented to all the other local governmental bodies in the County at the same time. Some have heard it this, some will hear it within the next week or so and then the plan will be submitted to the State for review. I'd like to point out quickly that the upgrade was prepared with the assistance of two advisory committees, one of them a water supply task force that was structured by the Planning Commission, had about 30 members and represented a broad range of interests in the water supply management including industry, public suppliers, the private water system owners, environmental groups, and what have you. The Chatham Environmental Forum functioned as the second advisory committee during this planning process, and it was also represented by a broad range of interests. Just one [inaudible] too that during the update process, the Planning Commission did hold a Regional Water Supply Management Conference. It was held in July of this year and attended by about a hundred people. It was very worthwhile effort. We brought people in from all over the coastal area in Georgia and also from South Carolina. We had presentations from some state and federal agencies and private interests, including industries, environmental groups, and what have you, and it was an important part of our program. I have, or we have Jean McDowell of our staff, to make a brief, five minutes, to present a little summary, overview of the updated plan, and if you like –. Chairman Hair said, that's fine. Mr. Wester said, we'll do that.

Ms. Jean McDowell said, hi. Chairman Hair said, hello. Ms. McDowell said, I'm just going to go through some of the highlights of the plan and let y'all know the progress that's happened since the '95 plan. Chairman Hair said, okay. Ms. McDowell said, these items are the biggest things that have happened since the '95 plan. We have had a reduction in domestic commercial water use even with an increase in population. That success has been due in part to the City of Savannah/Chatham County Water Conservation Program at MPC, and that has been in place since the '95 plan. There has been a reduction in industrial usage of the Floridian aquifer. EPD has credited 9.4 million gallons per day towards the required 10 million gallons per day under the interim strategy. EPD interim strategy is in place and the [inaudible] initiatives that are studying the aquifer safe yield and other issues related to surface water and ground water is underway, and that occurred in '97. This chart highlights the data from '93, which was used in the '95 plan, and compares it to the '99 data used in this plan, and it shows the Countywide population increasing 12,800, whereas the domestic commercial ground water use

decreased 4.4 million gallons per day. That means the per capita domestic commercial water use rate for the Floridian aquifer was 169 gallons per day per person in '93. In 1999, it was calculated to 141.6 gallons per day per person. For industrial ground water use, they reduced 3.60 million gallons per day, which gives us a total reduction from the '95 plan till now of 7.82 million gallons per day. To update the plan, we looked at the 16 strategies in the '95 plan and evaluated whether we wanted to keep those, change them or add new ones. We ended up with 28 new strategies. Some of those were modified strategies from the '95 plan, and I'm not going to read them all. They're long and they're detailed and the good thing about them is that they outline exactly what needs to be done and by when. The subjects covered by those are that annual meetings and progress reports will be completed by MPC, and that's new. Some of the issues related to miocene use or aquifer safety all have been deferred because the EPD Sound Science Initiatives are still underway and won't be completed until 2005, and since an update has to be done every five years to this plan, we –, the task force decided to wait until 2005 when we had those completed studies to reevaluate those strategies. Regional coordination with other counties who utilize the Floridian aquifer and the Savannah and Ogeechee watersheds will be a priority beginning now. That was heavily emphasized by the task force, the forum and some of the Commissioners. The conference started off that effort. Wastewater issues and source water protection issues were addressed in the plan, and that is a new item since '95. Those were not covered in the '95 plan. Utilization of treated wastewater is encouraged, golf courses shall not use the Floridian aquifer for irrigation, governmental and residential use of deer escape principles, choose water efficient landscaping is proposed. Public education and outreach programs on water conservation and source water quality protection programs will continue. Conservation rate structures are encouraged, industrial reductions in ground water use are encouraged. Surface water and ground water quality protections are encouraged, including the sore spot of protection plans for better I & D plans. Well hole protection, protection of ground water recharge areas and stormwater quality. Some of the strategies address EPD and we recommend that EPD enforce its own rules for metering and report requirements because without those enforced we cannot accumulate data and does these plans. And, last, drought contingency plans are encouraged by all municipalities. Does anyone have specific questions?

Chairman Hair said, does somebody have any questions on this?

Commissioner Saussy said, yes, I've got one question. What is the progress on –, you mentioned that you had some reasonable meetings, what kind of progress are we having on there? We've been talking about this for years of getting the region together, particularly because of the Florida water veins, the aquifer. What are we doing on it? I mean, we're having meetings, but what are we doing on it? Ms. McDowell said, that conference was just a conference and it should have been just a kickoff to further organization, and I think that–. Commissioner Saussy asked, well, are there any other meetings that's supposed to be coming up where we can get something –? Ms. McDowell said, there are a few programs that are separate from this plan, like the Source Water Protection Plan and the Watershed Protection has to occur with the City of Savannah and Effingham County, but that certainly doesn't cover the entire aquifer.

Chairman Hair said, I can address that question to a great extent because this is something that I'm very, very interested in. You're going to find, and there's going to be some movement in the legislative session in January, that the attempts at regionalization around the State have not moved very fast because of local resistance. You know, when you start regionalizing Effingham County, Liberty County, Bryan County, Chatham County, you get all the --, you know, you form a lot of boxes, and so there is --, and I met with the legislative committee last week as a matter of fact on this issue, and there is this growing frustration at State level on the fact that local counties can't seem to get together on their own so we're going to see if we can help them along, and I think you're going to see, and the strategies of how they're going to do that I don't think have been fully developed in the legislators minds, but I do think that there's going to be some legislation that I think will speed up the process. Commissioner Saussy said, good. Chairman Hair said, I encouraged them to make with them pull recommendations as opposed to push. I don't think it needs to be hardcore regulations, but give counties a financial incentive to cooperate and pull the changes as opposed to pushing the changes, and they seemed to accept that, you know, that philosophy pretty well. So I do think that there's going to be, whether it passes in the legislative session this year or not, I think there's a very good chance of it passing. The legislative committee that I met with seemed to think the chances were very good. Similar to what House Bill 489 did except it's going to have --, the problem with that bill is it never had any teeth in it. It was just one of those, again, warm fuzzy feel-goods that encouraged everybody to get together, but really basically other than sending in a report, that's all you had to do, and they never challenge your report. If you said I'm doing it, they took your word for it. But I think that you're going to see the State get much more aggressive at regionalization, even to the extent of having legislation that's going to give counties incentive to combine. Small counties in southwest Georgia, you know, that's got 2,000 people in it, I mean, they've already combined school systems in those counties, so there is some movement on the way, I think, that will make it easier and also give some incentive to speed up --. Commissioner Saussy asked, will that include, if possible, going across state lines because you've got South Carolina and --. Chairman Hair said, absolutely, especially on the water issue there's already a strong movement underway to cooperate, and then when we had that regional meeting in July here, we had a number of representatives from South Carolina at that meeting, the one we had at the Civic Center, but I was there. I attended that meeting. So I think you're going to see that being pushed up.

Chairman Hair said, okay, if there are no further questions, thank you very much for the presentation. County Manager Abolt said, we need a motion to adopt, sir. Chairman Hair said, okay. I'll entertain a motion. Commissioner Saussy said, so moved. Chairman Hair asked, second? Commissioner Jackel said, I'll second it. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Saussy moved to approve the Chatham County Comprehensive Water Supply Management Plan. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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9. REMINDER OF RIBBON CUTTING CEREMONY FOR MOTHER MATHILDA BEASLEY NEIGHBORHOOD PARK AT 11:30 A.M. ON SATURDAY, DECEMBER 2, 2000. THE PARK IS LOCATED OFF OF EAST BROAD STREET, SOUTH OF EAST BROAD ELEMENTARY SCHOOL.

Chairman Hair said, just a reminder about the ribbon cutting ceremony tomorrow for the Mother Mathilda Beasley Park on East Broad Street at 11:30. I encourage y'all to attend.

ACTION OF THE BOARD:

Received as information.

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X. ACTION CALENDAR

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

Chairman Hair asked, does anyone want to pull anything off the Action Calendar? County Manager Abolt said, Mr. Chairman, staff would ask you pull and delay until at least the next meeting #11. Chairman Hair said, 11 will be pulled by the staff. I'll entertain a motion to approve the balance of the Action Calendar. Commissioner Thomas said, move for approval. Chairman Hair asked, second? Commissioner Saussy said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. [NOTE: Commissioners Price and DeLoach were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Thomas moved that the Items 1 through 13-G of the Action Calendar be approved in their entirety with the exception of Item 11. Commissioner Saussy seconded the motion and it carried unanimously.

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

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1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON NOVEMBER 17, 2000, AS MAILED.

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the minutes of the regular meeting on November 17, 2000, as mailed. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD NOVEMBER 8 THROUGH NOVEMBER 21, 2000.

ACTION OF THE BOARD:

Commissioner Thomas moved that the Finance Director is authorized to pay claims for the period November 8, 2000, through November 21, 2000, in the amount of \$3,443,074. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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3. REQUEST BOARD APPROVE THE FISCAL YEAR 2001/2002 BUDGET CALENDAR.

ACTION OF THE BOARD:

Commissioner Thomas moved that the Board approve the Fiscal Year 2001/2002 Budget Calendar. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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4. REQUEST BOARD ACCEPT A GRANT FROM THE CHILDREN AND YOUTH COORDINATING COUNCIL ON BEHALF OF THE SAVANNAH YOUTH FUTURES AUTHORITY.

ACTION OF THE BOARD:

Commissioner Thomas moved that the Board accept a grant from the Children and Youth Coordinating Council on behalf of the Savannah Youth Futures Authority. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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5. REQUEST BOARD ACCEPT A GRANT FROM THE CRIMINAL JUSTICE COORDINATING COUNCIL GRANT FOR VICTIMS OF CRIME ACT (VOCA), AND TO ACCEPT A GRANT FROM THE CHILDREN AND YOUTH COORDINATING COUNCIL ON BEHALF OF THE SAVANNAH YOUTH FUTURES AUTHORITY.

ACTION OF THE BOARD:

Commissioner Thomas moved that the Board accept a grant from the Criminal Justice Coordinating Council for Victims of Crime Act (VOCA), and to accept a grant from the Children and Youth Coordinating Council on behalf of the Savannah Youth Futures Authority. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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- 6. **REQUEST BOARD APPROVE EXPENDITURES TO ALLOW THE CHATHAM COUNTY SHERIFF’S DEPARTMENT K-9 PROGRAM TO CONTINUE OPERATION AT ITS PRESENT STAFFING LEVEL.**

ACTION OF THE BOARD:

Commissioner Thomas moved that the Board approve expenditures to allow the Chatham County Sheriff’s Department K-9 Program to continue operation at its present staffing level. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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- 7. **REQUEST BOARD APPROVE A COLA ADJUSTMENT FOR EFFINGHAM, LIBERTY AND STATE PAID LIBRARY POSITIONS (EXCLUDING PROFESSIONAL LIBRARIAN STAFF). ALL FUNDING COMES FROM EFFINGHAM, LIBERTY AND STATE SOURCES.**

ACTION OF THE BOARD:

Commissioner Thomas moved that the Board approve a COLA adjustment for Effingham, Liberty and State-paid Liberty positions (excluding professional librarian staff), with all funding to come from Effingham, Liberty and State sources. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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- 8. **REQUEST BOARD EXECUTE WITH THE TOWN OF THUNDERBOLT AN INTERGOVERNMENTAL AGREEMENT WHICH AUTHORIZES ITS FIRE DEPARTMENT TO PROVIDE FIRE SERVICES IN THE UNINCORPORATED AREA ADJOINING ITS MUNICIPAL LIMITS.**

ACTION OF THE BOARD:

Commissioner Thomas moved that the Board authorize the execution of an Intergovernmental Agreement with the Town of Thunderbolt which authorizes its fire department to provide fire services in the unincorporated area adjoining its municipal limits. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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9. REQUEST BOARD APPROVAL OF LICENSE AGREEMENT WITH YMCA OF COASTAL GEORGIA, INC.

ACTION OF THE BOARD:

Commissioner Thomas moved that the Board approve the execution of a License Agreement with YMCA of Coastal Georgia, Inc. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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10. REQUEST BOARD ADOPT THE CHATHAM COUNTY BIKEWAY PLAN.

ACTION OF THE BOARD:

Commissioner Thomas moved that the Board adopt the Chatham County Bikeway Plan. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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11. REQUEST BOARD APPROVAL TO QUITCLAIM CHATHAM COUNTY INTEREST HELD BY THE TAX DEED AT 501 W. 37TH STREET TO CITY OF SAVANNAH AS PART OF THE CUYLER-BROWNSVILLE REDEVELOPMENT PLAN.

ACTION OF THE BOARD:

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

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12. REQUEST BOARD APPROVAL OF THE MEMORIALIZATION OF INTERGOVERNMENTAL AGREEMENT BETWEEN CHATHAM COUNTY AND SEDA AS TO TRANSFER OF ROADS AND MAINTENANCE OF BOURNE AVENUE AND BOURNE BOULEVARD AND TO PROVIDE FOR EMERGENCY ACCESS FOR VEHICLES.

ACTION OF THE BOARD:

Commissioner Thomas moved that the Board approve the memorialization of Intergovernmental Agreement between Chatham County and SEDA as to transfer of roads and maintenance of Bourne Avenue and Bourne Boulevard and to provide for emergency access vehicles. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Contract amendment for the use of Memorial Stadium for an additional date for State Playoffs	Parks and Recreation	Benedictine Military School	\$700	Revenue Producing

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
B. Contract for the pruning and removal of trees in the Wilmington and Whitmarsh Island areas	Engineering	Herrington Tree Service (MBE)	\$8,375	Land Disturbing Activity Ordinance
C. Intergovernmental agreement with the Savannah Regional Drug Enforcement Office of the GBI to obtain fuel for approximately 15 of their vehicles from the County on a reimbursable basis	Fleet Operations	N/A	N/A	N/A
D. Confirmation of emergency purchase of an ambulance remount and disposal (via trade-in) of the old cab and chassis	EMS	Unlimited Mobility	\$42,682	CIP - Vehicle Replacement Fund
E. Annual contract with the option to renew for two additional one-year terms to provide various inmate supply items	Detention Center	<ul style="list-style-type: none"> •Bob Barker Company •ICS Company •ATD American Company •Robinson Textile Company •Paul Dubin Company 	Varies by item	General Fund/M & O - Detention Center

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
F. Confirmation of emergency purchase of a reconditioned and fully warranted un-interruptible power supply/line conditioner	Inspections	Emergency Power Systems	\$12,800	CIP - ANG Renovations
G. Change Order No. 1 to the contract for the paving of Robert McCorkle Bikeway for additional contract requirements	SPLOST	Claco, Inc.	\$27,060	SPLOST (1985-1993) - US 80/Johnny Mercer Flyover (pending transfer)

ACTION OF THE BOARD:

Commissioner Thomas moved to approve Items 13-A through 13-G of the Action Calendar in their entirety. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach 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. AMENDMENT TO ARTICLE VII OF THE CHATHAM COUNTY TAXATION AND REVENUES ORDINANCE.**

ACTION OF THE BOARD:

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

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XII. SECOND READINGS

- 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.]**

Chairman Hair recognized Mr. Bill Saxman.

Mr. Saxman said, well, in summary, the Planning Commission did work with the developer and the citizens of that area in trying to come up with a plan that would be compatible. The developer is proposing the rezoning from a single family classification to a classification which will allow single family attached units by putting a planned designation on it and underneath the section of the code that requires the site plan to accompany the zoning, the MPC and the County Commissioners have an opportunity to look at the site plan and put whatever conditions they feel would be needed to protect the adjoining

properties. The Planning Commission feels that this plan that's evolved out of this discussion would be beneficial to the community, it would not be out of character with the land use plan. The density would be about 7.5 units per acre or a little less. The one issue that was not addressed at the Planning Commission, they did ask the staff to work with the developer and try to come up with sidewalks. The site plan has to go along with the rezoning. That needs to be addressed as a specific issue to make sure we're clear on that issue. Staff had worked with the developer and we felt that this being such a small development and being a cul-de-sac and dead-end feature that by putting sidewalks on either side of the roadway you're trying to work one in the project is going to take away a lot of greenspace and possibly affect some of the tree planting which is proposed along this roadway. So we need to either have the Commissioners agree that a sidewalk would not be needed or, if they need one, I guess the one alternative that would work would be possibly widen the roadway by like three feet and just have like a three-foot walkway designated down one side the roadway just to give some feature where individuals could walk. It'd just be marked off, but actually it'd be a part of the roadway and it wouldn't really adversely affect the project. But that's the one issue that needs to be addressed.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, as far as the sidewalks, this is a private development that will be deeded. Mr. Saxman said, yes sir. Commissioner Murray said, and in all other cases I would say we would need them, but in this particular situation I would not think they would be needed based on seeing the plan and the fact that the plan has been submitted to you and after y'all worked on it and made the changes on those plans that were made over a period of time, we have in place now with having to go to the MPC and back to the County Commission -. Mr. Saxman said, right. Commissioner Murray said, that that particular plan has to be done in that development. Is that what we're saying? Mr. Saxman said, yes sir, and the developer's agreed to actually bring the specific plan back to the Board, and I think part of the conversations the citizens had in that area and under this provision, that could be a condition the Board puts on the site plan that that specific site plan would also come back for review by the Planning -, by the Commissioners. Commissioner Murray said, I move for approval. Chairman Hair asked, second? Commissioner Saussy said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved that the petition of Michael K. Deal, Agent (for Penn E. Myrick, Inc., Owner), 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, 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 warrant 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*. Commissioner Saussy seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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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.]**

Chairman Hair recognized Mr. Bill Saxman.

Mr. Saxman said, in summary, the petitioner is asking to rezone an acre of land on the Gun Club property just off of Ferguson Avenue. It sits back about a thousand feet off of Ferguson. It's actually, if you look in your report, there's a little map that shows the zoning line that bisects the Gun Club property. Most of the Gun Club is already agriculture-residential, but a portion of the Gun Club that connects to Ferguson Avenue is zoned R-1. A good portion of that is currently developed and being utilized for the Gun Club activities and the proposed tower location within that area that's to the east of the current R-1, R-A zoning boundary requires basically adjustment by 400 feet in the zoned boundary to allow that. The Planning Commission is recommending that the —, basically a 25-acre tract of this land be rezoned from the R-1 to R-A, but would allow the existing Gun Club activities to remain conforming uses, and then within that 25 acres that would be recommended to be rezoned from R-1 to R-A there would be about an acre of land, or 400 by 100 foot parcel that would be recommended to be rezoned to an R-A-W-T, which would allow a telecommunications tower.

Chairman Hair asked, does anyone have any questions of —. Does anybody have any objection and want to see the full presentation, or does anybody object to this? Okay, I'll entertain a motion to approve.

Commissioner Jackel said, I move to approve. Chairman Hair asked, second? Commissioner Odell said, second. Commissioner Murray said, let me ask a question. Commissioner Thomas said, I just have one question. Chairman Hair said, certainly.

Commissioner Thomas asked, they have ample buffers? Mr. Saxman asked, pardon? Commissioner Thomas said, buffers. Mr. Saxman said, yes mam. They have provided documentation showing the proposed location of the tower and how the tree line would actually block out the -. Now from the inside of the project you might be able to see it from inside the Gun Club, but that's almost a half a mile or so from the nearest residence on the other side the Gun Club. Commissioner Thomas said, okay.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray asked, there's no opposition from the residents on Ferguson? Mr. Saxman said, I talked to a few people that had some concerns. The developer has gone out and talked with them and evidently everybody's satisfied because no one showed up today as I know of. Commissioner Murray said, I was going to say, nobody's here, they must not have any.

Chairman Hair said, okay, I'll entertain a motion. Commissioner Saussy said, so moved. Commissioner Thomas said, second. [NOTE: This motion is moot because a motion was already on the floor for consideration.] Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

ACTION OF THE BOARD:

Commissioner Jackel moved that the Board approve the petition of Paul Felser, Agent for Powertel (Forest City Gun Club, Owner), 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. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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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.]**

Chairman Hair asked, Commissioner Murray, did you –? Commissioner Murray said, yes, but let Bill [Saxman] go ahead. Chairman Hair recognized Mr. Bill Saxman.

Mr. Saxman said, well, in summary, this is an issue that's been on the board here for a while since the developer had a rezoning action that tended –, that was based on the fact that he has some land set aside for a conservation area. He's required to have a site plan going on with that zoning. He's asked that the site plan that was approved originally be modified. Basically, that modification is to reduce the front yard setback area along Highway 80 from 50 feet back to a 45-foot area. He has agreed to go in and within that 45-foot area designate that as a tree-save area, which would indicate that no trees less than 4-inches –, greater than 4-inches in diameter would be taken down in that area, so that gives the County a little bit better protection for the buffer that's left. So by trading off that five feet for that condition we felt was reasonable. The other issue is a buffer along the eastern property line next to the Chu's Convenience Store and a single-family –, a duplex that's just behind that, which is actually used as a home occupation, to reduce that buffer from 50 feet down to 20 feet to provide for the alignment of the driveway coming off of Highway 80, and that would be a 20-foot buffer. It did shown on the plan as a 20-foot buffer easement, utility easement, and we recommend that the utility easement be maintained out of that buffer and you'd have a 20-foot buffer, but the developer is agreeable to that and there would be a six-foot fence constructed along there, and those are basically the two differences.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I don't have a problem with the 5-foot variance on the buffer on Highway 80 because I don't think that's going to make any difference one way or the other, but I want everyone to understand that that 20 –, going from a 50-foot to a 20-foot buffer behind –, it's just behind that one piece of property, but not the whole length of this. Mr. Saxman said, but the Chu's –, adjacent to Chu's and

there's one duplex which is just behind Chu's. Commissioner Murray said, we said a duplex [inaudible]. Mr. Saxman said, well, it's a home occupation. It's a home occupation. Commissioner Murray said, well, they don't comply with the home occupation ordinance unless somebody's gone out there and straightened out. Mr. Saxman said, it's supposed to be a home occupation. Commissioner Murray said, well, I understand that, but they've got stuff there that doesn't fall under home occupation, but that's not your problem. The other question I have is, that is a public road that will be coming in from Johnny Mercer behind Chu's -. Mr. Saxman said, that is a public right-of-way. Commissioner Murray said, [inaudible] house and that residence or that business. Mr. Saxman said, that would be a public roadway, yes sir. Commissioner Murray asked, does that road then have to be brought up to County standards to come in there? Mr. Saxman said, if it's not to County standards, then the County Engineer would look at that as an issue, right. Chairman Hair said, certainly. Commissioner Murray said, all right, now I've got two other things. There was some confusion about the fencing that goes around it. That has to be, as we said at our first meeting when we talked about this, a masonry fence around there, not a cyclone fence. Mr. Saxman said, the developer's agreeable to a masonry fence along the back side where you have the 150 foot buffer. The side fence they were talking about a wooden fence since there is an existing wooden one there, but that would be an issue that the Board would have opportunity -. Commissioner Murray asked, you said what? Mr. Saxman said, the one along the eastern property line the developer is talking about having that a wooden fence, a wooden -, 6-foot wooden privacy fence, mainly because there's an existing 6-foot wooden privacy fence there now. Commissioners could upgrade that if that was your call or -. Commissioner Murray said, well, since the developer's here, and I've never heard any discussion about wood. I've always talked about masonry. That was part of the agreement. Mr. Saxman said, okay, well, they're showing it on the plan as a 6-foot wooden fence along that -. Commissioner Murray said, I don't care what the plans show. I'm talking about what we discussed. Mr. Saxman said, well, that could be a condition that could be modified, right.

Chairman Hair recognized Mr. Jim Reed [phonetic].

Commissioner Murray asked, didn't you agree to that or did you not agree to it? Mr. Reed said, Commissioner Murray, on the rear of the property we agreed to a masonry fence and that was along the whole boundary of the property on, I guess, it was going to be on the south side. What Mr. Saxman is talking about, I believe, is the existing fence that is separating that home occupation business from where the road will come through, not the fence on the rear of the property, and we had proposed that we would either, one, maintain that fence, replace that fence, but we would provide a fence there, as well as a landscape buffer -. Commissioner Murray asked, who owns the fence? Mr. Reed said, I believe that Mr. New owns that fence, he owns the home occupation business. Commissioner Murray asked, well, what happens to protect the people down past him? Mr. Reed said, the fence actually runs -, the fence actually runs down that property, and the 50-foot buffer, of course, is in place past him. The -, everybody except -.

Chairman Hair said, you're only using the buffer in that little old small section. Mr. Reed said, we're just trying to buffer that -. Chairman Hair said, yes, yes. Mr. Reed said, yes, that one lot. Yes, and everybody beyond him going south on the property, there's a 50-foot undisturbed buffer. They all have, with the exception probably of the people that are at the very far southern end, have fences already, and then I think there's a couple of cyclone fences back there behind those duplexes.

Commissioner Murray said, okay. All right, there was one other issue also, and I understand that instead of going to the -, whatever conservancy group that the land was going to be deeded to, that did not work out and you worked with the Corps of Engineers. I want to know exactly how that process works and what restrictions are on there if the Corps accepts that property. I understand that it stays in the developer's name. Mr. Reed said, well, yes sir, it does. It would actually even with the -, with the Georgia Coastal Land Trust, who was the -, we were going to first put the property and easement in favor of them, it still would stay in the developer's name. They don't take title to the property. What's happening now is that, of course, on our -, on our site of the 7.42 acres that's being developed, we're applying to the Corps of Engineers for a permit because there's a small portion of wetlands on that property. I think in a letter to Mr. Hart back on November 11th, we made application November 8th. There's a 30-day public hearing time, and as part of that application we have agreed to put the balance of that property, the 9.680, I think, under covenants and restrictions with the Corps of Engineers, who have a more restrictive policy than the Coastal Georgia Land Trust and actually have the ability to enforce that, which is something that, even though the Coastal Georgia Land Trust would accept it, you know, there's an enforcement issue. The reason they didn't accept it and changed their mind, as I understand it, and this may change after January because they've got a new board, but our property wasn't big enough for them, and originally they said they'd take it and then they said they wouldn't take it. Commissioner Murray asked, what -, all right, the Corps accepts this land, what guarantees do we have, and I want it in the record today, that that land can never be developed or used for anything else. Ever. Mr. Hart said, well the -. Go ahead. Mr. Reed said, what you should receive, and I meant to finish this, that on the public opinion, the time period is over on the 8th and on the 8th we should be receiving the permit, and simultaneously with that permit will be the filing in the courthouse of these covenants and restrictions, which Mr. Hart's had a copy of and Rebecca Rowden, who's the attorney for the U.S. Corps of Engineers, has reviewed -, and the Corps has agreed to take this property as part of that plan.

Commissioner Murray said, I will make a motion to approve it, but I want it understood too that none of this zoning takes place until all these other things are in place. That's what we said six months ago and evidently there was a lot of confusion over that because that's not the message that got out. That is what we did, and that's what we're doing again today, and I want to make sure it stays that way. Mr. Saxman said, right, before anything took place at MPC we will check with Mr. Hart and make sure everything is legally in line.

Chairman Hair said, okay, I have a motion to approve. Do I have a second? Commissioner Jackel said, I'll second it. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried

unanimously. [NOTE: Commissioners Price and DeLoach were not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved that the petition of Erwin Friedman, Agent (for Wilmington Island Investors, L.L.C., Owner), 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), is approved pursuant to the recommendations of the Metropolitan Planning Commission and subject to the eight (8) conditions set out in MPC File No. 99-12465-C, and with the understanding that none of the zoning takes place until the conditions are in place. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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

Chairman Hair said, there’s still a lot of unanswered questions out there, and I recommend to my fellow Commissioners that we table that.

Commissioner Murray said, I move to table. Chairman Hair asked, do we have a second? Commissioner Thomas said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Price and DeLoach were not present.] Chairman Hair said, the motion passes.

County Manager Abolt asked, to the next meeting, sir? Chairman Hair asked, pardon? County Manager Abolt said, to the next meeting, sir. Right? Chairman Hair said, assuming that we can get the questions answered, yes. If not, we might need to table it again.

Commissioner Murray said, we’ve already tabled it so we can’t discuss it, but I have some serious problems with it.

ACTION OF THE BOARD:

Commissioner Murray moved to table this item to the next meeting. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Price and DeLoach were not present.]

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XIII. INFORMATION CALENDAR

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

ACTION OF THE BOARD:

Written report received as information.

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

ACTION OF THE BOARD:

Written report received as information.

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3. ROAD AND DRAINAGE REPORTS.

ACTION OF THE BOARD:

Written report received as information.

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

ACTION OF THE BOARD:

Written report received as information.

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EXECUTIVE SESSION

Upon a motion being made by Commissioner Thomas, seconded by Commissioner Rivers and unanimously approved, the meeting was recessed at 12:30 p.m., to go into Executive Session for the purpose of discussing litigation, land acquisition and personnel.

Upon adjournment of the Executive Session, the meeting of the County Commissioners was reconvened at 1:20 p.m.

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ITEMS FROM EXECUTIVE SESSION

- 1. REQUEST BOARD AUTHORIZE PAYMENT OF CATASTROPHIC HEALTH CLAIMS (JON HART).**

ACTION OF THE BOARD:

Commissioner Rivers moved that the Board authorize payment to Memorial Hospital for catastrophic health claims incurred by the Jail in the amount of \$151,321.38. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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- 2. REQUEST BOARD AUTHORIZE CONDEMNATION PROCEEDINGS, RASPBERRY CANAL (JON HART).**

ACTION OF THE BOARD:

Commissioner Thomas moved that the Board authorize condemnation of the southwest corner of Highway 307 and I-16, Raspberry Canal. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach were not present.]

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

ACTION OF THE BOARD:

Commissioner Saussy moved to authorize the Chairman to execute an affidavit that the Executive Session was held in compliance with the Open Meetings Law. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Price and DeLoach 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, Chairman Hair declared the meeting adjourned at 1:22 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