

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, JANUARY 26, 2001, 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, January 26, 2001.

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II. INVOCATION

Commissioner Martin Jackel 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 Jeffrey D. Rayno, District One Joe Murray Rivers, District Two Martin S. Jackel, District Three Harris Odell, Jr., District Five David M. Gellatly, District Six B. Dean Kicklighter, District Seven
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IN ATTENDANCE:	R. E. Abolt, County Manager R. Jonathan Hart, County Attorney Sybil E. Tillman, County Clerk
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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. PRESENTATION BY MR. BERNARD POLITE ON UPDATE AND RECOMMENDATIONS REGARDING COMMUNITY SUMMIT 2000.

Chairman Hair said, we're going to have a presentation from some folks from the Youth Futures, they're going to tell us about the Community Summit.

Dr. Joseph Morrison said, thank you, Mr. Chairman, Commissioners. Mr. Chairman, good morning. Chairman Hair said, good morning. Dr. Morrison said, I'm Joseph Morrison, I'm the Chairman of the Youth Futures Authority. We really would like to give a brief report to you all about our Community Summit which we held in October. A bit of information for those who may not know what the Youth Futures Authority is, we're an authority that was established back in 1988 after a grant from the Casey Foundation to look at middle school dropout problems. A significant amount of money, which was matched by the County, the City, the State and the School Board started us up. We quickly found out there was no way to look at middle school problems starting at the middle school level and subsequently really begun to evaluate the problems with the children of Savannah. The Casey Foundation money obviously has run out during this period of time. We function with other monies. We continue to function with the monies from this community, which is an important part of things for us. Early on we had a compact with our people like all, the business community that have been very important, and this Community Summit, which we held in October at the Trade Center, was a reaffirmment of that compact to look at what the needs of the children in Savannah were. We had four work groups, which Ensuring Business —, excuse me, Ensuring Educational Success, Safe Families and Neighborhoods, Economic Self-Sufficiency, and Healthy Families, which met extensively beforehand. The Summit was chaired by Dr. Hair and the Mayor. We had a fifth group with youth involvement, which turned out to be a very important part of this, which had a lot of involvement from the Chatham County Youth Commission. We met in October, there were 250 representatives from the City, County child serving agencies, the business community, the Board of Education. We came and we took a good hard look at issues facing our children, the youth and families in this community, and began hopefully to develop action plans addressing these issues. We tried to define the priorities within the focus areas that we looked at. Among the recommendations that came out of this were several, and I'd like to just spend a few minutes mentioning this and then have Mr. Julian Pafford talk a little bit more about where we are. We hope to design ways to identify, intervene and guide children with high risk behaviors, provide structured yet informal parent/family support at the neighborhood level, and one of the examples that's happening now is the Parent University in Savannah. Provide a full array of gap time activities for children and youth at the neighborhood level. This is critical. What happens from the time school stops until seven or eight o'clock at night is an issue that obviously contributes to a lot of the problems that we have in town. Early identification and treatment of substance abusers in Savannah. We obviously need more detox beds, we need more rehab programs, and this is a real issue for us. Early identification and systemic intervention of individuals exhibiting high risk behavior and violent behavior, fill the gap in technical training, express the small and medium sized business that need the participation in providing youth with jobs. This is a critical need for us at this point. Promote community awareness that education is the key to self-sufficiency, provide information on resources and access to capital throughout the community to assure that those most in need have an opportunity for economic self-sufficiency, provide facilities to assist youth and their families with issues such as money, behavioral problems, drug addiction, and mental health needs are identified. As an aside to that, as a pediatrician, one of the things that I noticed in Savannah is the children who have problems, mental health needs in this community are minimal. Treat underlying problems versus symptoms, provide positive role models for community children, develop culturally appropriate strategies to reach specific target populations in the community, relay educational instruction to the job world, recognize good teaching and provide better matching for applicants for teaching jobs, provide more business leadership and education. There are a lot of things in this, and it's a wide range of things. The purpose was to design some programs and to get back to the community and report on these and continue to have further community programs which will look at this. The ways we plan on doing that are that we've already made a presentation to the Chamber about this same sort of —, these issues. We have requested the Board of Ed, the City and United Way to make presentations, and these are in progress. We are trying to distribute the summary document which you all have copies of. It's this book, which is much more inclusive other than what we're saying to our partners and other stakeholders. We have scheduled meetings with each of these chairs to continue their work with a Mr. Bob Penn, who is an excellent facilitator that we have worked with in the past, and he has meetings later this month and the first of next month with this. We'll have follow-up work group sessions with the community, which will be scheduled late next month, and Gay Smith and Joy Williams will meet in February to plan a follow-up session for the youth representatives. This is where we are right now. We can't do these sort of things without the cooperation of our partners, particularly the City and the County and the Board of Education. It's important that we report back to you and we hope to continue doing that. Before I turn it over to Mr. Pafford to sort of follow up on this, I really would like to be sure that everybody knows our new director, Executive Director Jacquelyn Elmore. Jacquelyn has been with us about six months and we're very excited to have her.

Mr. Julian Pafford said, Mr. Chairman, Commissioners, I'm Julian Pafford. I'm with Savannah Electric. I'm also Vice Chairman of Youth Futures Authority and I was appointed by you a Countyboard member, so thank you very much. My term ends 2002, and I'm going to follow up. With these many recommendations you may be wondering what the next steps are. Over the coming months the work groups or subsections of the work groups will continue to meet. As the groups continue, we will report out the Summit findings to the governing boards of lead support organizations like you and other boards, we'll analyze the findings to identify community needs which will assist YFA in planning for its next phase. We support the work of the partner agencies and the community associations in implementing short term activities that have been identified as immediate needs, and we will convene periodic town hall forums and a formal followup session to assess progress towards the benchmarks. We're looking to the lead support organizations, such as Chatham County, to continue to provide support for the work that will now take place. We encourage you to carefully consider the recommendations that came out of the Summit and to find ways to support the action plans that will be developed and implemented. The County can play a significant role in this process, providing leadership and commitment to our shared vision that every child will be born healthy, group up healthy, be secure from abuse and neglect, become literate, productive, economically self-sustaining citizens. The Youth Futures Authority would also like to be considered to work with the County Commission as you go through the grant-in-aid process. And, finally, our staff of YFA, Jacquelyn Elmore and others, would like to work with the County to begin discussions on expansion of the beacons to other areas of your County. These are our recommendations.

We thank you for what you have done for us in the past, and we would like to join together with you to continue to work with our youth and our families. Any questions? Yes sir.

Commissioner Jackel said, maybe I missed it because some of this material was just here this morning, but I've looked over it and I've looked over the other material that I have, and what you have in here is wonderful and it's very hard to disagree with any of it, but sitting up here as a Commissioner I don't see any statistics. I see -. Chairman Hair said, Commissioner Jackel, that's EOA, this is Youth Futures. Commissioner Jackel said, I have a Youth Futures thing too, and I looked at it. I -, still, I mean, I can -, I don't know how many children you work with, I don't know how many adults -. Mr. Pafford said, we can get you that. Ms. Elmore said, we'd be happy to provide some specifics in terms of the numbers and programs that we monitor; however, one of the greatest strategies of the Youth Futures is every year we report to the community by way of our children's profile. In the children's profile we report back not only on our programs, but any of the indices that we're measuring to see if we're making a difference Countywide. The Authority presents the base line. It then presents the programs which address those problems, as well as results, significant improvement or in some instances decreases of those things that are the higher indices of negative behavior for our community. We do send them out once a year; however, I'll be happy to provide a second copy as well as some data relative to the programs that we provide to the community. Commissioner Jackel said, okay, that's what I have not seen, and I understand some of the things you are measuring are Countywide. It can be because of other trends. I still don't have a feel for how many people you're actually working with. You know, I mean I've been a supporter of what y'all have been doing, but I don't think I'm getting the statistical information back to say I'm glad I voted for that because here's how many people they have helped, here's how many people they have worked with. Now I can tell you the group that does the best job of that in the County, and that's the Air Force Museum. The statistical information that they give us is fantastic. You know, we can really see what is going on there. I cannot tell it from this information. Mr. Pafford said, we'll get you a report and we'll also get you the annual report, and what I'll do is I'll commit to get last year's report to you guys so that you can look at that right away, and when the annual report comes out, we'll hand-deliver it to you, and inbetween that we'll also go back and look at our numbers for our basic programs and get that to you in the mail. Thank you, Commissioner.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno asked, does that include a tracking mechanism because years ago Otis Johnson was asked for a tracking mechanism to see the success rate of kids that went through the program? Ms. Elmore said, we do have a tracking mechanism and it's referred to in our organization as our factor. It's the database in which we follow each of the programs and also participants not only encounters as far as who are the persons that we serve in our program in-house as well as in our school programs. We also follow the progress when they're taken away from any kinds of services, the management of the services, the number of the services that they -, we do have all of that data and we'll be happy to get it for you. Commissioner Rayno said, well, that's wonderful. One of the things that -, these are wonderful suggestions that came out of that meeting, the recommendations to make things better, but one thing that seems to always be missing from these activities are -, we never train the kids how to run their own business. If you could teach kids how to start their own business and run their own business, they wouldn't have to worry about finding a job from an employer, they would simply start their own, and in the long run they would end up making more money for themselves. It places control of their life solely on them and it gives them something to make a mark for themselves in this life, and I know back home a lot of people that did really bad in school turned out to be great business people because they had that drive and will to succeed, and once they found that empowerment they excelled to great heights, and I think if you could do that, teach kids what does it take to make your own business, how do you get started, where do you get funding, all those things, they won't have to solely have to rely on people anymore, they can do it themselves. Ms. Elmore said, I appreciate that.

Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, I'd just like to make a comment. I'm familiar with Youth Futures since its inception, and I think it's a very worthwhile program and it's been very beneficial to the community, and I look forward, as the Commissioners do, to any factual statistical information that you might be able to provide us.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I'd just like to make a suggestion that if y'all are coming back to do another presentation or something at the meeting, if we could get this packet that y'all in front of us when we sat down this morning sent out, we get packets every day from the County office. At least that way we'll have a little bit more time to read through it before we started trying to address questions right after you speak. Another thing I'd like to do is say what caliber of people y'all have serving on your board. I think you've got a great group of people serving on the board. Julian [Pafford] for one. There was a message on my phone one night when I got home that he had found my dog and put it in my backyard, and I called him and said I don't think it's my dog because I put both of mine in the kennel this morning, and it looked like mine but it wasn't. He came back down and the dog jumped right in his driver's seat and tried to drive his vehicle off. It might have been your dog, I don't know, but it still roams the neighborhood. But y'all have got some good people serving and I think it's a benefit to the community and I appreciate what you're doing.

Chairman Hair said, thank you. Any other questions? Thank you very much, Julian [Pafford] and Dr. Morrison, we appreciate it. Ms. Elmore, thank you.

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YOUTH COMMISSIONERS

Chairman Hair said, I'd like to introduce our Youth Commissioners who are with us this morning. We have Corey Jackson, who's a sophomore at Beach High School, and we have Te'rica Johnson, who's also a sophomore at Groves High School. She represents the Summer Bonanza Partnership, Inc. As we go through the meeting today if you'd like to make any comments or ask questions, just raise your hand and I'll recognize you. Okay?

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VI. CHAIRMAN'S ITEMS

1. DIGEST SUBMISSION SCHEDULE ON COUNTY COMMISSION AGENDA.

Chairman Hair said, I think we're going to have a presentation from Mr. Hogan or Mr. Udinsky on the digest submission schedule. We voted this down the last time in December, but they asked to come back before us and we've granted them that right to do that. Chairman Hair recognized Mr. Hogan.

Mr. Jerry Hogan said, don't remind us what it was done last time. Good morning. Chairman Hair, thank you very much for allowing me to speak with you today. This matter is very important and I'm grateful to have the opportunity to give you the Board of Assessors input. According to the staff members of the Board of Assessors, the Tax Commissioner for at least the past 22 years, assessment notices have been mailed around the middle of June. This practice is not illegal, but the County Attorney and the Department of Revenue have absolutely no problem with mailing assessment notices by June 21st. They correctly state that their only concern is that the digest be submitted to the DOR no later than August 1st. Chatham County normally does submit their digest by August 1st and in so doing is always one of the first counties to submit this digest to the Department of Revenue. I promise you we will continue to submit our digest by August 1st. The problem is that the law gives the County Commissioners the authority to remove the members of the Board of Assessors if the June 1st date is not met. Based on advice from the Department of Revenue and the County Attorney, we simply ask for permission to mail assessment notices by June 1st instead of -, I mean, by June 21st instead of June 1st. This time is needed for several reasons. First, we want to limit the overtime and stress the appraisal staff must endure; property taxes may be filed up until April 1st; the majority of these returns, approximately 85% of 9,000, come in during the last week of March; homestead exemption applications must be accepted through May 1st; and freeport exemption applications must be accepted through June 1st. All these require significant processing and data entry. All new construction and -, all new construction field inspection, reappraisal inspection, as well as normal reinsertion, approximately 30,000 properties, must be completed by the assessment notices and are to be -, that are to be produced. Secondly, the time required to just print these assessment notices prepared for mailing can take up to 15 business days. And, finally, our field appraisal staff has been 11% understaffed for almost all the past year. We have 18 real property field appraisal positions, but due to the tight job market have only been able to fill 16 of them. This exact -, I mean, this extra time will allow the staff to more accurately carry out the County's business and to better assure property owners of proper assessments. Simply stated, if we have more time we can do a better job. Granting this extension does not hurt anyone and helps everyone. For these reason we ask for this time extension. Thank y'all very much.

Chairman Hair said, Mr. Hogan, I've got a couple of question then I'll call on Commissioner Odell and anyone else that wants to ask any questions. First of all, doesn't the law specify June 1st? Isn't that the law? Mr. Hogan said, the law specifies on different counties if the county is both -, you know, if it mails out twice a year, then it's June 1st or June 21st. Chairman Hair asked, but in Chatham County the law is June 1st, is that correct? Mr. Hogan said, that's up to y'all. The law states that -. Chairman Hair said, we don't make the law. Mr. Hogan said, no, no, but the law states that -, the law is that -, what I understand, is that the only thing that y'all can do is to remove us by -, if we don't have it by June 1st, and I think that that's what most of the Board of Assessors are worried about. Chairman Hair said, in the past has the Assessor's office submitted it prior to June 1st? Mr. Hogan said, not that I know of. It's always been -. Chairman Hair asked, in the past have you ever been before this Board to get the exemption as required by law? Mr. Hogan said, well, I've only been put on this since July 1st. Chairman Hair said, so you're not aware that it -. Mr. Hogan said, no, I'm not aware of these things, but these are things that I've checked out myself with the Tax Commissioner and also with different people, the staff members and all, and they said that they've always done it by June 1st -, I mean by June 21st. It just gives us some extra time, Dr. Hair, to get it done. The way I feel about it, it's always been done this way and all of a sudden we're changing horses in the middle of the stream, and there's other ways that maybe you could do it next year differently.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, good morning, Mr. Hogan. Mr. Hogan said, good morning, sir. How are you doing? Commissioner Odell said, good. Just a couple of questions, and the first one is to Jon [Hart]. This does not violate any law? County Attorney Hart said, the -, Chatham County is a little unique in that the receiver function and the assessor's

function by constitutional amendment were combined in the Assessor's office is somewhat different. There's a statute, O.C.G.A. 48-5-302. If you read the plain language of the statute it says shall be filed by June 1st. Okay? But if you go under the case law that interprets that code section, usually when you use the word shall in a statute it's a mandatory expression, but if you look at the case law that appears under that code section, and there's a Glynn County case where this arose, it says that that statute is directory only, which means that if you have a legal duty to carry out that function and you are after that date set in the statute, you still have the right to perform that statute and that function and you have no penalty. If it is completed before August 1st, which is the drop-date dead [sic] for getting your digest in, there wouldn't be any practical penalty for going to June 1st. It's really a matter of whether you wish to do that or not. Commissioner Odell said, okay. Historically, it's always been June 1st? Commissioner Jackel said, 21st. County Attorney Hart said, 21st. Commissioner Odell said, June 21st. County Attorney Hart said, my understanding is historically that is correct. Commissioner Odell said, okay. County Attorney Hart said, I don't know that for a fact, but I've been told that. Commissioner Odell said, as a result, historically it being June 21st, have we gotten any penalties assessed? County Attorney Hart said, no sir. The issue becomes –, it's like Mr. Hogan was saying, that apparently the Assessor's office has to do the homestead and freeports and all that, and the issue becomes do you submit your digest June 1st and because you're doing it in a cramped period of time, you may run a higher risk of not meeting all the ratio tests. Okay? But if you take more time supposedly you will be more accurate. That's the only down side. If you don't comply by that August 1st date, yes, we could have a problem, and if your digest is out of whack insofar as their ratio tests, yes, there are some penalties that go with that the following year. Commissioner Odell asked, but the drop-dead date is August 1st? County Attorney Hart said, yes sir. Commissioner Odell said, okay. Mr. Hogan, we don't have a problem complying with the August 1st date? Mr. Hogan said, no, not so far we have not, no sir. That is the big date, Mr. Odell. Commissioner Odell asked, and the exemption which you seek from us today, that exception is just for 2001, it's not for 2002, 2003? Mr. Hogan said, well, that's up to y'all to make that decision. Yes sir, I mean if that's what you –. Commissioner Odell said, I know, but the exception –. Mr. Hogan said, the way I feel about it now, yes sir, it's –. We're changing horses in the middle of the stream and we'd like to continue to do that this year. If y'all wanted to change it next year, it would be something –, you know, something different. Commissioner Odell said, what I'm trying to do is put parameters on your request and the parameters are what we're talking about for one year or several years, and I think your answer is that we're only speaking for 2001. Mr. Hogan said, yes sir. Commissioner Odell said, okay, and this has been reviewed and you've conferred with DOR? Mr. Hogan said, yes sir, we have. Commissioner Odell said, okay, and have there been any adverse comments from DOR? Mr. Hogan said, well, the DOR has no position on this and I don't mean that –, you know, the DOR are great bureaucrats and they won't give you a direct answer, so if –, and what I've been taught in the last two classes I've taken is that everything that –, what we do in Chatham County stops at the county line, so all counties are absolutely different in what they do. Commissioner Odell said, okay. Even though the law allows us –, uses the word shall be June 1st, it is permissible for it to be June 23rd [sic]? Mr. Hogan said, correct. Commissioner Odell asked, correct? Okay. We have consistently done this in the past to the best of our County Attorney's knowledge. There's no penalty of consequence that we can articulate here today that may befall the citizens of Chatham County? Mr. Hogan said, it's going to help them. Commissioner Odell said, okay. This request is limited for 2001? Mr. Hogan said, 2001, if that's what you want, yes sir. Commissioner Odell asked, and part of the justification is that to do otherwise would increase overtime and ultimate costs? Mr. Hogan said, correct. Commissioner Odell asked, can there be a plan presented to us that would bring us into compliance in 2002? Mr. Hogan said, yes sir, we can do that. Yes sir.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, good morning, Mr. Hogan. Mr. Hogan said, good morning, sir. Commissioner Rayno said, I appreciate you coming here and I just wanted to take this opportunity to let you know and say it in public because so often when we have our conversations back and forth the good things we say to each other are lost and all that the paper reports is something you might have said, or Gary [Udinsky] might have said, or something I might have said, but just let me publicly say there's no animosity of mine towards Mr. Udinsky out there as a person, there's no animosity of myself towards Mr. Jayro as a person. I think where we have our disagreements is in our interpretation of the law, the tax code, and also the implementation of that law, and every time I make that comment to the press they never print that. They want to keep the edge going between and myself, which I think is unfortunate because I think what we should all try to do here today and in the future is to search for the truth so we can work to make sure that this tax mechanism works. Wouldn't you agree with that? Mr. Hogan said, I agree with that and to the extent to let you know that this is a new board and until we can get past what other boards have done, and we've only been there since June –, I mean, July 1st, until we can implement and to let the public and to let the County Commissioners know that the County work is being done with all –, you know, with all the publicity that we get. Commissioner Rayno asked, wouldn't it also be true that we've had meetings together where I've come to the actual BOA meetings and we've had a cordial working agreement and we actually helped some taxpayers in the process by lowering their taxes? Isn't that true? Mr. Hogan said, that is true. It happened at the last –, almost the last meeting. Commissioner Rayno said, you know, I feel bad that you're getting blamed all the time for some of the stuff of the past board, and I think that we should rectify that. You know, on May of last years, this –, the old Board here passed a resolution to have an investigation done of the commercial audit, and logically thinking about that when Mr. Rivers seconded that motion I'm sure that your intent was to look at 1999 rather than looking forward because the 2000 digest hadn't even been submitted yet, so the intent of the Board probably was to look at the 1999 commercial audit because there's still some lingering questions, and the questions that were raised then might be the cause of why you've got a time crunch right now, and if we solve that problem, your future time crunches will disappear. Was it your intent to look at the 1999 commercial audit when you passed that resolution in May?

Commissioner Rivers said, well, absolutely we wanted to get an audit done as soon as possible, and if that's the case of the 1999 audit, then we'll order a 2000 audit for the report and we need to look at both to make sure that they're done accurately. Commissioner Rayno said, well, I think that if —, you know, we've got to go through with the intent of the last Board. We should be looking at 1999 and figure out why you've got a time crunch problem here at the Board and correct that, and I'd like to make a motion right now that we send our resolution to Governor Barnes and ask for a 1999 audit, which is what the Board intended of the commercial digest with the same scope as the residential audit.

Chairman Hair said, we have a motion. Do I have a second? Commissioner Murray said, second for purposes of discussion.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, let me —, let me just reply to that. Let me ask this question, and this is for you, Gary [Udinsky]. Is it feasible for us to get on track and how long have we been submitting our report or sending out the tax notices on the 23rd [sic]? How long has that practice gone on? Mr. Gary Udinsky said, the institutional information that I've gotten from, frankly, from the Tax Commissioner's office because that's where the longest people [sic] who've been here, at least the last 22 years. Commissioner Rivers asked, can we correct that in the future? Mr. Udinsky said, we can present a plan that would correct that for tax year 2002, yes sir. Commissioner Rivers asked, will that be done? Will we have —, you won't come back before this Board asking for a waiver of the 1st? I don't want to put you in bind now. I want to leave you with enough time to work this thing out however Mr. Hogan, you and staff can work it out. You know, I hate to play with semantics, and I know the law is the law, but there are [sic] flexibility in this law evidently. If we've been doing it for 22 years without any penalty, maybe, maybe either we need to change the law or make it conform with what we can do practically or not put you in a bind of saying this has to be done, this has to be done to correct it because it's the law and we can correct the law or have the law amended, then we need to do that to conform with practicality. Now whichever your problem is, then let's resolve it however it needs to be resolved. Mr. Hogan said, that's true, Mr. Rivers, yes sir. The question that Mr. Rayno's presented is that, I understand that the field audit for the commercial has been done, and I think that if people wanted it, they could get it through the —, what is it? The open act. Commissioner Rayno said, but it was for the year 2000. Mr. Hogan said, but those are the years that we did it.

Chairman Hair said, okay. Well, point of order. I think we've got a motion. Let's deal with the motion to first —. Commissioner Jackel said, point of order. Chairman Hair said, let's deal with that motion first and then we'll deal with the motion on the extension or not allow an extension. We have a motion and a second on the floor —. Commissioner Jackel said, point of order. Chairman Hair said, to ask for a commercial audit for the year 1999. That's the motion and that's —, the discussion needs to be limited to that motion. Commissioner Jackel said, of the same scope as the residential audit. Chairman Hair said, same scope as residential audit, and we have a second to that motion. That's the motion on the floor, not of the extension motion.

Commissioner Jackel said, point of order. Chairman Hair said, certainly. Commissioner Jackel said, I think that motion is out of order. That's not on the agenda. That's not what we were dealing with here today. Chairman Hair said, I don't think it is out of order, but the Attorney has to make a ruling. County Attorney Hart said, you can add it to your agenda. Chairman Hair asked, pardon? County Attorney Hart said, I think that could be within the scope of that, but if you wanted to add it to the agenda, that's up to the discretion of the Board. Chairman Hair asked, but is the motion out of order as it is currently —? Commissioner Jackel said, the agenda item is —. County Attorney Hart said, it is not the subject matter —, it is not asked in the subject matter that was under discussion insofar as the submission of the tax digest.

Chairman Hair said, okay, I'll tell you what let's do then. If you will withdraw your motion and then make a motion to amend the agenda to add it to that, would you do that, Mr. Rayno? County Attorney Hart said, that would be acceptable. Commissioner Rayno asked, today? County Attorney Hart said, yes. Chairman Hair said, he's saying that the motion's out of order as it's currently stated, so if you would withdraw your motion and then make a motion to add it to the agenda then you can make your motion again. It's just a point of order. Commissioner Rayno said, sure, that's fine. I'll withdraw it. Chairman Hair asked, and you'll withdraw your second. Chairman Hair said, okay, now if you'll —, let's —, Commissioner Rayno.

Commissioner Rayno said, I make a motion to add —. Commissioner Rivers said, Mr. Chairman. Chairman Hair said, okay, go ahead, Commissioner Rivers. Commissioner Rivers said, okay, if we're still on the subject —. Commissioner Jackel said, we're still on the subject here. Commissioner Rivers said, then let's have a motion after we've completed [inaudible]. Commissioner Jackel said, we need to finish this up. Chairman Hair said, that's fine. Commissioner Rivers said, that's what —, that's all I'm saying.

Chairman Hair said, Commissioner Jackel. Commissioner Rayno, have you finished? Commissioner Rayno said, yes, I'll agree with that. I'll wait. Chairman Hair said, Commissioner Jackel then Commissioner Murray and then myself and then Commissioner Rivers.

Commissioner Jackel asked, freeport is not due until the first of June? Mr. Hogan said, that's correct. I've got to get my papers out because I'm, you know, I've only got 80 hours, but any technical things I'm going to ask Gary [Udinsky] to come up and he will [inaudible]. Commissioner Jackel said, all right, and homestead, it's the 1st of May is the deadline on that. Mr. Hogan said, yes. Commissioner Jackel said, all right. What as I see is the problem is a scheduling problem that these

deadlines are set for the submission on the 1st of June. I don't know how you can have a deadline with freeport as the 1st of June and submit your budget on the 1st of June. I just don't –. Mr. Hogan said, exactly, that's some of our problem. Commissioner Jackel said, I don't see how that's possible. Mr. Hogan said, that just makes the August deadline when we have to have our –, when we have to submit it to the DOR. The big day is August 1st. I mean, that's what I'm trying to get across to y'all. The other days just give us an extension to get it corrected for August 1st, and we're one of the few counties, from what my dealings with the Department of Revenue, Mr. Griggers and Mr. Thomas and all, that we are one of the first counties and it's usually in order. Commissioner Jackel said, all right, now, some steps, if we're going to change this for next year, what steps need to be done? We have to get the State Legislature to change the deadline for the freeport? Mr. Hogan said, the freeport, or either way or either just extend it to the 21st. I mean, you know, whichever way that y'all, you know, you want to do. Whatever way would be the easiest, and I'd have to ask Gary [Udinsky] to comment on that because he's the one that's got the experience in it. Mr. Udinsky said, the real change would be the section that sets up the June 1st deadline just should be repealed. That perhaps would be an older code section that deals with how things were done and years went by the property tax code sections have been amended so many times over the last 25 years that a lot of this scheduling doesn't make sense. In times before computers and so forth when returns were done manually, it made sense to have a long period of time from the time assessment notices went out until the time the digest was submitted because it was all done manually. That time doesn't make sense anymore because you can produce the digest from the time you finish your assessment process very quickly. Chatham County actually has taken some steps towards remedying that, and this was done in the 80's I believe, when they combined the functions of the Tax Receiver in the Board of Assessors operation. The Tax Receiver is a function that is actually the function receiving all these returns and in the exemption applications and producing the digest. In many cases that function is performed by the Tax Commissioner; in fact, in most counties. Here in Chatham County it's provided –, it's done by the Board of Assessors, and that's a step in the direction to make this happen quicker. So the real fix is just to repeal that particular June 1st deadline altogether. Commissioner Jackel said, all right. Have any steps been taken to do that so far? Mr. Udinsky said, not to my knowledge. Commissioner Jackel said, okay. Would it help you if we did a consensus of the Commission that our legislative delegation look at this and get a realistic time line for doing these things? Mr. Udinsky said, yes sir, in my opinion it would. Commissioner Jackel said, now since we are on this thing then, I would move that we ask our State delegation to get a proper time line on the submittal of these various things of property taxes, homestead exemption, freeport, and submission of the digest.

Chairman Hair said, I have a motion. Do I have a second? Commissioner Rivers said, second. Chairman Hair said, second. Any discussion? County Attorney Hart said, this goes –. Commissioner Murray said, I've got to question. Is that the same basic thing –. Commissioner Thomas said, same thing. Chairman Hair said, I think –. Commissioner Murray said, it's not pertaining to what we're actually addressing. Chairman Hair said, that's my whole point. County Attorney Hart said, y'all need to dispose of –. Commissioner Murray said, I think that where it deals with –. County Attorney Hart said, with 302 issue on filing. Commissioner Murray said, whether we're going to extend that dead line. Chairman Hair said, you just violated your own point of order. Commissioner Jackel said, well, that just was dealing with the same thing. Commissioner Rivers said, just back it out. Chairman Hair said, no, it's two separate. Commissioner Jackel said, I'll back out. Commissioner Odell said, I'll make a motion –. County Attorney Hart said, everybody take turns now. Commissioner Jackel said, we'll back it out, we'll back it out. All right. Mr. Hogan it looks like we're at the Board of Assessors meeting. Commissioner Jackel said, that's right. Commissioner Murray said, not yet. Chairman Hair said, I'll make a motion –.

Commissioner Jackel said, so it's the –, what it comes down to is because of the time line you're asking for a three-week extension, 21 days. Mr. Hogan said, correct, what has been done in the past. I'll make the motion then that we do that. Chairman Hair asked, do we have a second. Commissioner Rivers said, that we rescind that. Commissioner Odell said, I'll second the motion. Chairman Hair said we have a second. Commissioner Murray and then I'm going to make a comment and then Commissioner Rivers.

Commissioner Murray said, the comment's been made that we've been doing this for the last 20-some-odd years. Is that a correct statement? 23 years? Mr. Hogan said, 22. Commissioner Murray said, now out of those 22 years have they ever come before the Commission and requested that? Chairman Hair said, I asked that question a while ago. Mr. Udinsky said, to my knowledge not that we know of. Commissioner Murray asked, well, why are you coming this time? Mr. Udinsky said, because the Department of Revenue and the County Attorney suggested that we do. Commissioner Murray said, and if I understood Mr. Hogan, you said that the reason that y'all wanted to bring this up now is because the Board of Assessors were scared that we would remove them if they didn't. Is that correct? Mr. Hogan said, that's by law, yes sir. Commissioner Murray said, I don't know why anybody would want to serve on there anyway. Mr. Hogan said, I just want to thank you nine guys. Commissioner Murray said, for the abuse that y'all take, I wouldn't want to serve on it. Mr. Hogan said, well, it's just like –. Commissioner Murray said, this is a much easier job. Mr. Hogan said, I think that Mr. Rayno kind of hit it on the head. I think it's being blown out of proportion and, you know, just to comment on –, and call me out of order if I am, but to get back to the Board of Assessors, you know, you see a three/two vote. Well, a three/two vote in the paper sounds like it's real bad, but y'all get a five/four and there's nothing said about it. You've got to remember now the majority still rules, and that's the way it works. Commissioner Murray said, you know, and I've told you this on many occasions, I will not tell anybody on any board that we appoint how I think they should vote. Whether I agree with those votes or not, you know, that's up to me, but I'm not going to suggest that you vote a certain way. That's why y'all are appointed and I think that's y'all's responsibility to vote your conscience on these things and whatever happens happens, but the other question I have is if that's the case, two terms back when I believe Joe Mahany was the Chairman and we were sued by that board –, not the same board that's there now, but by a board, we lost it in court. Are you saying that we could remove the whole board because they didn't bring that before us? County Attorney Hart said, there's a case out of Glynn County

that deals with that code section. It's the one I referred to with Commissioner Odell's -- Commissioner Odell said, 48-5-302. County Attorney Hart said, 302, and there's language in that case that says that if that is a directory statute and you don't follow the directions of the statute, that under the new amendments of law y'all might use that as a show case reason to remove the board. Now whether you find cause or not, that gets to be an issue to be handled at the hearing, and I think that was the concern expressed by at least one of the members of the Board of Assessors. Commissioner Murray said, okay.

Chairman Hair said, all right, I've got a question then I'm going to call on Commissioner Rivers and then Commissioner Kicklighter. You know, there's been several statements made this morning that I don't quite understand. If it's no big deal, then why does the law allow us to remove Assessors if that date is not met. You know, we've had statements up here it's not big deal and we're asking for 21 days, three weeks, no big deal. Well, it must have been a big deal to the lawmakers because they said if it's not met that we can remove the Board of Assessors, so they thought it was a pretty serious offense, and so I think it is a big deal and if it's --, if you want to change the law, I don't have a problem with changing the law, but that's not for us to decide, but I think we do have a right to uphold the law and if the law says June 1st and we can remove Assessors if we don't need them June 1st, then to me it is a big thing, and I don't understand this thing, well, it's just three weeks, no big deal, it's 21 days, as long as we meet August 1st, well, why did the Legislature think it was such a big deal. They said we could remove you from office if you didn't meet it. Mr. Hogan said, first of all, to answer you, Dr. Hair, it's not a --, it is a big deal. It is a big deal, okay. It's not --, I'm not fluffing this off. I hope I didn't give that impression. Second of all, I wasn't in the Legislature at the time that they made these laws, and, third of all, I am affected by the laws, and the only thing that we're doing is it just gives --, like I said, it just gives us --, it's been done for 22 years. I feel like we're being --, that the --, we're changing horses in the middle of the stream, as I said. If we could get by this year the, you know, it's up to y'all to either change the law or to replace us, and so, I mean, those are the --, that's the only thing I can answer you. How extreme it is, for the past 22 years, for all the past County Commissioners and all the past Board of Assessors, it didn't seem that bad. The only thing I want to do is try to give the Appraiser and the staff just as much time so we can adjust it for next year. I won't be standing here for June 1st next year. Like I said, we would --, it's in the middle of the stream, and it's only --, the reason why we're here is because of two of the Assessors weren't in favor of it. Chairman Hair asked, how can you --, Mr. Hogan? Mr. Hogan said, if they didn't go further, it would have been --, I thought the majority ruled. Chairman Hair asked, Mr. Hogan, how can we say it's the middle of the stream when we've been doing it for 22 years? Mr. Hogan said, this year on my watch it's in the middle of the stream, and we came on here. I thought that, you know, everything would be --, you know, we'd run the same time line, and when Gary [Udinsky] gave us the same time line after we got on there to get the digest ready, it was fine with everybody until a couple of months ago.

Chairman Hair said, Commissioner Rivers then Commissioner Kicklighter and Commissioner Rayno. Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, I'm going to call the question for rescind, Mr. Chairman. I don't see us --, we're haggling over a thing that --. Chairman Hair asked, would you allow Commissioner Kicklighter to speak since he --? Okay, he has not spoken on this issue. Commissioner Rivers said, okay. I'll yield to that, but I don't see us going back and forth. They're asking for a waiver of a time line that has been a practice for 22 years, and it's no penalty, has not been no penalty [sic], I don't see why we're haggling this thing back and forth.

Chairman Hair recognized Commissioner Kicklighter. Thank you, thank you, Commissioner Rivers.

Commissioner Kicklighter asked, Mr. Hogan, is it your opinion that it would hurt the taxpayers of Chatham County if you do not receive this extension? Mr. Hogan asked, will it hurt the taxpayers? No, it's not going to affect the taxpayers. It affects the staff to prepare the digest to give it to the Department of Revenue. Commissioner Kicklighter asked, if this time line is not extended, you feel that y'all can accurately propose the digest and present it like it should be? Mr. Hogan said, it's like you being at Benedictine, if you study a little bit longer you'll get an A; if you don't study that long, you'll get a C. So it's really up to y'all to decide if we get the extension to give us time to get an A on the digest instead of a C. Commissioner Kicklighter said, so your opinion is basically it would jeopardize the accuracy and all for the taxpayers of Chatham County. Mr. Hogan said, correct. Commissioner Kicklighter said, so it could have a possible effect on the taxpayers of Chatham County unless you get this extension. Mr. Hogan said, correct. Commissioner Kicklighter asked, do you feel that by next year you could have this in place as to not penalize the taxpayers if this is granted? This year you feel you could have it in place where you could comply with the law by next year? Mr. Hogan said, as I said, you know, with this new board coming on as of July 1 of last year, 2000 year, now that we know what we've got to do, we will arrange for 2001, 2002 or whatever. Yes, we'll have that done by June 1st. Commissioner Kicklighter said, okay, as to protect the property owners, the taxpayers of Chatham County, if your digest is not accurate I'd like Mr. Udinsky and explain to us what negative effect that has on the taxpayers and on the people of Chatham County. What exactly would that C do for Chatham County? Explain to everybody at home and in the audience. Chairman Hair asked, Mr. Udinsky, could you answer Commissioner Kicklighter's question? Commissioner Kicklighter said, Mr. Udinsky, my question was where would the effect of a C grade on your preparation be, on the homeowner's taxpayer, property owners of Chatham County versus an A. Mr. Udinsky said, an A you get more accurate assessments. A C you get less accurate assessments, but they're both passing grades, but we would like to be as accurate as we could possibly be. Commissioner Kicklighter said, so without the extension we're going to have more homeowners with property values probably out of line that will be coming back to [inaudible] on it later is what you're saying. Mr. Udinsky said, yes sir.

Chairman Hair said, okay. Commissioner Rivers said, call the question. Commissioner Murray asked, can you clarify the motion? Commissioner Rayno said, I'd like to make a comment. Chairman Hair said, if he will withdraw his call. The call for question cuts off debate. It's up to you, Commissioner Rivers. Commissioner Rivers said, go ahead. I'll yield to Commissioner Rivers.

Commissioner Rayno said, thank you so much. I appreciate that. It's just --, my comment is time's always been a problem in that office. How long did it take to get the Candler system on line? Mr. Hogan said, I was not on the board when that --, with the Candler system, but I understand that yes it did --, it was a problem. Commissioner Rayno asked, seven years? Isn't that about right. Mr. Hogan said, well, you know, if you read the paper and everything else, Mr. Rayno, I would think seven years, yes. Commissioner Rayno said, the system was required in 1993, is that correct? And other municipalities had it on line in one or two years, but we took seven. And also is this Candler system going to be compatible with the Stephens-Day Bill input, or is it going to alter --. Mr. Hogan said, if you would --, Mr. Rayno, if I would be prepared for these questions. I've got 80 hours of education. I've only been on there for six months. If you give me a list of what you need, I'll be --, I'm going to ask you like I asked the board to do. You give me a list of the questions that you want and I will have time to go and look them up and I will be able to answer them correctly. I'm not going to answer something that I'm not sure of or I feel like I'm being put in the corner. Commissioner Rayno said, my concern is if we take this vote today and it passes in your favor, you'll be back at the time a little bit for you to give you more time, then all of a sudden we find out the software problems with the Candler system where we can't put the Stephens-Day data, and that's going to cause another backlog of time, and you're going to be back next year asking for more time. It's always a time problem and it always go back to the same person, who I don't have any animosity for, but I have serious concerns because of what the Governor's report said, and the fact that you're here now asking us to waiver what is law to ask for more time. Mr. Hogan said, well, we --, I think we just explained to you and so did the County Attorney, but the law states that y'all could basically remove us if we don't have it. It's already been --. Commissioner Rayno said, and that's what you fear the most. Mr. Hogan said, it's already been stated that, you know, what the law was and how it's changed. I would like --, if you give me questions, I'll go find them and I'll be glad to come back at any one time or anytime to answer these questions. I feel like that you guys are the ones that put me on this board, and I'll be glad to --, the Stephens-Day Bill is a big thing that's coming up. I think that we're working on it right now. The County Attorney's been to one of our meetings. He's going to be to several more. I think that the way that --, the way that we're working to get to the --, to resolve some of the questions that the Stephens-Day Bill has presented to all Board of Assessors, to Chatham County's Board of Assessors, we're taking that one step at a time. I'll be glad to answer these questions if I have, you know, time to get the proper answer for you, Mr. Rayno. Commissioner Rayno said, okay, just --. Mr. Hogan said, I can't answer things that I --, when I wasn't there. Commissioner Rayno said, yes sir. Just one other comment and I'll go to Mr. Rivers call for the question, and that is that you've ignored the 1998 Board of Equalization freezes on property owners, you've ignored the Board of Equalization freezes on 1999 owners forcing them to go to Superior Court, eating up Assessors' time and Appraisers' time that they could be out in the field working on the digest, and instead they're in court, you know, testifying and going to these BOE hearings and testifying and remeasuring things when they could be working on the digest, and I think if you would just follow the BOE tax free law, you would have saved a lot of time. And again that goes back to the Chief Appraiser and the practices. Mr. Hogan said, I think that to answer that question, yes, we set a '99 two-year freeze because of all the mix-up, all the fault that the board had --, the board had done, that the board's policies have made. We've changed those policies. I think if you go back and you take a look at the records that we have sent to Superior Court on BOE decisions, you'll see that they have been drastically reduced. Commissioner Rayno asked, is that right? So then a 1999 audit of the commercial properties might yield the same results, so it would be a good thing to talk about later on. Mr. Hogan said, Mr. Rayno, anything that y'all can do to help the board would be appreciated. There's five private citizens that sit on that board, and we'll be glad to do anything. I think that the input of the Commissioners at any one time, especially on the Stephens-Day Bill, would be appreciated on y'all's view of the --, of y'all's view of the Stephens-Day Bill coming from y'all to the Board of Assessors would be appreciated. The Stephens-Day Bill and the past --, I can deal with the Stephens-Day Bill because it's something that's on my watch. I can't deal again, Mr. Rayno, with what has happened in the past.

Chairman Hair said, okay, we have a call for the question. The motion is to extend the deadline past the June 1st date. All those in favor --. Commissioner Murray said, before we vote I'd like to make an amendment to that motion, and the amendment is that this is just for this tax year. Chairman Hair said, I think that's what the motion --. Commissioner Murray said, well, they didn't say that? Chairman Hair asked, who made the motion? Commissioner Murray said, well, it didn't say that. Commissioner Rivers said, I'll go with that, 2001. Chairman Hair asked, all those in favor of the motion --. Commissioner Rivers said, point of order, Mr. Chairman. We need to rescind our action prior to. We're rescinding. Chairman Hair said, no this is a new motion. You're just changing the action. County Attorney Hart said, either way, you're wiping out the old motion. Chairman Hair said, it wipes out the old motion. Chairman Hair said, all those in favor vote yes, opposed vote no. Commissioners Rivers, Jackel, Murray, Odell, Kicklighter and Thomas voted in favor of the motion. Chairman Hair and Commissioners Rayno and Gellatly voted in opposition. The motion carried by a vote of six to three. Chairman Hair said, the motion passes. Thank you. Mr. Hogan said, thank you, sir. Commissioner Odell said, Mr. Hogan, thank you. Mr. Hogan said, thank y'all. Any questions? Thank y'all very much.

Commissioner Murray said, though not a question, I would just like to add something on the agenda if I possibly could and that's discussion about whether there's enough. Let me just ask a question first and see whether there's a need to do it or not. Y'all's meetings are in a small room. Mr. Hogan said, correct. Commissioner Murray said, and you have a lot of people that come in to those meetings, and it's mighty cramped. I'd just like to make a recommendation that they be allowed to use this room for their meetings so the public can be there and people can be comfortable and there's enough room for everyone. Mr. Hogan said, except for the news media. No, I was just kidding. Commissioner Murray said, I

wouldn't make that comment now. They're here. Mr. Hogan said, oh, I know. I see them sitting right there. Commissioner Murray said, but it would give them more space, and that's the only thing I was trying to do.

Chairman Hair said, certainly if they want to use it. It would have to be something they --. Let them make the decision. It's available to you if you'd like to use it. Mr. Hogan said, well, we do have people coming in and out, but --. Chairman Hair said, one of the problems might be the staff having to come back and forth might be a little bit of --. That would have to be something that --, but it's a good --. Mr. Hogan said, thank you very much.

ACTION OF THE BOARD:

Commissioner Jackel moved to extend the schedule for submission of the digest in 2001 and allow the digest to be submitted past the June 1 deadline. Commissioner Odell seconded the motion. Commissioners Rivers, Jackel, Murray, Odell, Kicklighter and Thomas voted in favor of the motion. Chairman Hair and Commissioners Rayno and Gellatly voted in opposition. The motion carried by a vote of six to three.

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AMENDMENT TO AGENDA

Chairman Hair said, all right, we're going to ask that we add two items to the agenda. One is Commissioner Rayno's request for a commercial audit of '99, and the Attorney has asked us to add one item on approving an intergovernmental agreement with the School Board. Commissioner Jackel said, and I have one. Chairman Hair asked, do I have a motion? What? Commissioner Jackel said, mine is that we ask our State Delegation to look at the time line to make sure that it works to get us under the digest. Chairman Hair asked, do I have a motion to add those three items? Commissioner Murray said, so moved. Commissioner Odell said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved to add three items to the agenda. Commissioner Odell seconded the motion and it carried unanimously.

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REQUEST FOR COMMERCIAL AUDIT OF 1999

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I'd like to make a motion that we complete the will of the past Board and that we conduct a commercial audit of 1999 with the same scope as the residential audit. I think that's what the will of the Board was in May because you don't look forward with audit, you look backwards. Chairman Hair asked, do we have a second to that motion? Commissioner Murray said, I'll second. Chairman Hair asked, any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Rayno moved that the Board request a commercial audit of 1999 with the same scope as the residential audit. Commissioner Murray seconded the motion and it carried unanimously.

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REQUEST STATE DELEGATION TO CHANGE TIME LINE FOR TAX DIGEST

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I move that we contact --, send the State Delegation a consensus of the Commission that they need to look at the time line for submission of the digest in that if the Freeport is due the first of June, I don't see how the

digest –. Chairman Hair said, well, that's your argument. What's your motion? Commissioner Jackel said, that is my motion, that they look at the time line and come up with a realistic time line. Commissioner Odell said, I'll second the motion for discussion.

Commissioner Murray asked, did you say that that Freeport was due the first of May or first of June? Commissioner Jackel said, he said first of June. Mr. Gary Udinsky said, you can actually submit Freeport up until the first of June with penalties, but you don't get the full advantage but you do –, we can –, we have –. Commissioner Murray asked, when is it due? Mr. Udinsky said, the first of June. Commissioner Murray said, okay.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, Gary [Udinsky], what I'd like to see us do, Martin [Jackel], and consistent –, being consistent with your motion, I'd like to see us provide a recommendation and rationale for that recommendation as Gary –, Mr. Udinsky, as for the time line, if we make this recommendation to the Legislators, I think it's incumbent upon us to suggest time lines and rationales for those time lines. If you look back at the law in the last several years, there have been a ton of changes and hopefully, Mr. Hogan, you all should be in a better position to suggest a reasonable time line. Rather than our sending this blanketly to the Legislators and saying straighten us out, let's send to them recommendation and rationale. Mr. Jerry Hogan said, we could make a recommendation, yes sir, we could make a recommendation to y'all and then –. Commissioner Odell said, I'd like to have it –, have us see it before it goes to the Legislators.

Chairman Hair asked, would you accept that? Commissioner Jackel said, yes, and I think –, and we need to move on this because –. Chairman Hair asked, do we have a second to the motion? Commissioner Odell said, second. Commissioner Thomas said, second. Chairman Hair asked, any further discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you. That's it.

Mr. Jerry Hogan said, thank you very much. I appreciate it. Chairman Hair said, thank you.

ACTION OF THE BOARD:

Commissioner Jackel moved that the Board request the State Delegation to review and consider setting a more realistic time line for submission of the tax digest, and requested that the Board of Tax Assessors prepare a recommendation to be submitted to the State Delegation for their consideration. Commissioners Odell and Thomas seconded the motion and it carried unanimously.

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INTERGOVERNMENTAL AGREEMENT WITH BOARD OF EDUCATION

Chairman Hair said, the intergovernmental agreement that the Attorney has asked us to approve is we have a cooperative agreement with the School Board to allow them temporary use of the old tax headquarters [sic] for the adult ed program temporarily until they can move into new quarters, and we just –, it's an intergovernmental agreement between us and the School Board to allow that to happen. I'll entertain a motion to approve.

Commissioner Murray said, so moved. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair asked, any discussion?

Commissioner Odell said, clarification. There are no costs being charged to them? Chairman Hair said, no, no. It's a free –, we just need to –. County Attorney Hart said, it's just sort of we've got an empty building and they need a place to put their people. Chairman Hair said, it's a good way for us to cooperate with the School Board. They came to me and asked for this, and I sent it to the staff and had the Attorney work on it. I think it's a good –. Commissioner Odell said, I think it's good. Chairman Hair said, a good cooperative agreement between us and the School Board.

Commissioner Rayno asked, they'll assume the liability. County Attorney Hart said, yes sir.

Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you.

ACTION OF THE BOARD:

Commissioner Murray moved that the County enter into an intergovernmental agreement with the Board of Education to allow, at no charge, the temporary use of 7606 Hodgson Memorial Drive, the former headquarters of the Chatham County

Police Department, adjacent to the County Tag Office, as an adult education center. Commissioner Thomas seconded the motion and it carried unanimously.

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VI. CHAIRMAN'S ITEMS (CONTINUED)

2. RAISES FOR SHERIFF AND TAX COMMISSIONER.

Chairman Hair said, I would recommend to my fellow Commissioners this morning that we pass a motion to approve a raise for the Sheriff to \$89,000, which would make him equal to the Chief of Police for Chatham County, the Tax Commissioner to \$83,000, which would make him equal to the Tax Assessor, and at the request of Commissioner Jackel and Commissioner Odell, that we add Kim Birge –. Commissioner Odell said, the Clerk of Probate Court. Chairman Hair said, Clerk of Probate Court, and we set her salary at \$65,000, which would make her consistent with the other clerks.

Commissioner Odell said, I make that motion. Chairman Hair said, okay. Commissioner Jackel said, I'll second that. Commissioner Rivers said, Mr Chairman. Chairman Hair said, we have a motion and a second.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, you know, I don't have no problem with each of the people getting raises and bringing them equal. The problem that I have is that we're doing this out of the context of budget time. We're about five to six million dollars short in this County. We've got this budget shored up on fund balance. Now until I can find recurring revenue to put in there, that's where I have a problem. Chairman Hair said, Commissioner Rivers –. Commissioner Rivers said, and if somebody can show me where we have recurring revenue to put in there that's going to continually be there, then I can go from there.

Chairman Hair said, you've raised a very good question. The motion and my recommendation is that these will not be effective until July 1st when the new budget starts. Secondly, also between now and then you have seen a memo, I have requested staff to prepare a plan to implement the entire salary study for all employees on a three year basis, a third being this year, a third next year and a third the following year, and these raises would be effective the same time that third is if we put it in the budget.

Commissioner Rivers said, and that's when I would like to look at giving a raise. If it's not going to become effective until July, then I would like to look at it at July. When the budget is before me with everything that there is, with all the growth in the digest and everything else, I can make a concerted decision based on what I've got. I know what this budget is now, I know how it's shored up, and if we continually do the things that we're doing, then we're going to always have a fallout and be in the hole. Chairman Hair said, well, I think we can avoid a situation that you're talking about. In the past the reason these salaries have gotten out of kilter, these particular salaries have gotten out of kilter, in the past the Legislature has decided that we're going to give raises on our own and we've got to fund. This is a much better way for at least us to control the amount as opposed to having the Legislature do it. Commissioner Rivers said, Mr. Chairman, as I said, and I'll reiterate it, I have no problem with giving a raise, no problem at all with giving a raise, but I think that raises, like anything else, should be done within the confines of the budgetary process. Chairman Hair said, and I respect that –. Commissioner Rivers said, I need to know what I've got there. I want everybody in Chatham County to be equal in pay. I would like to see everybody have what they should have, but I would like to sure that I've got recurring revenue there to do that.

Chairman Hair said, I respect that opinion. We have a motion –. Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, yes, I'd just like to say that if people's doing the same job, they deserve the same pay. I don't believe I deserve to be paid more than you down on that end and you don't deserve any more than I do. They're doing an equal job, they need the equal pay. Equal's equal and right's right, so that's what we need to do.

Commissioner Rivers said, but, Mr. Kicklighter, at the same time you're talking about equals –, you just got here. Basically, if you look at all of our employees there's an inequity. That's on constitutional officers on down. Everybody should be equal. Everybody should be kind of the same. All I'm saying is that we handle that at the budget time. Do you realize how this budget is shored up? It's shored up out of fund balance. We don't have a continuing recurring revenue. We've got a freeze on in order to keep the budget intact. These are the things that I'm talking about. I'm not talking about equity. I'd be the first to want to give the Sheriff and Tax Commissioner, the Clerk, I want all of them even, but you have to do it within the confines of the budgetary process, and that's all I'm saying.

Chairman Hair said, okay. We have a motion and second. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I agree with Commissioner Rivers on this. We all received a memo dated the 24th of this month, which was last Wednesday. It's trying to get the compensation consultant to come back in and to address and work with us on a three-year approach. I don't see how we can give raises in two areas and not address it for the rest of them. I think they all should be implemented together and not separately, and I think that as long as we keep doing it separately, we are not taking care of the people that work for Chatham County. We've got approximately 1,600 employees that we're dealing with, and I just am not in favor of giving raises just because we've been threatened by our local delegation that if we don't do it, they're going to do it. I agree that they need to be in place, and they need to be equal, they need to be where

they're supposed to be. I don't agree that we do them individually like this. I think they should be done as a group, and I think it should –, if we're going to implement the other raises on a three-year plan or three-year approach, then these should be done the same way.

Chairman Hair said, all right, we have a motion and second. Chairman Hair recognize Commissioner Rayno.

Commissioner Rayno said, I just want them to know back there I'm going to vote no today and it's not because I don't think they deserve a raise. I do think they do. I agree with everything Mr. Rivers and Mr. Murray are saying. If we do it today, we set a precedent that we're just going to sign blank checks not knowing how we're going to fund it. It's just –, it's not the right thing to do. You just don't do that with a budget. You wait until budget time and then you give them the raise which they deserve. Al St. Lawrence is the best Sheriff in the State of Georgia and Danny Powers has done phenomenal things in his office with the Tax Commissioner stuff, but you just do not sign blank checks not knowing how you're going to pay it. At budget time we'll find it with \$323,000,000 we have, but not now.

Chairman Hair said, okay, all those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Jackel, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioners Rayno, Rivers and Murray voted in opposition. The motion carried by a vote of six to three. Chairman Hair said, the motion passes. Thank you.

ACTION OF THE BOARD:

Commissioner Odell moved that we approve a raise for the Sheriff to \$89,000, which would make him equal to the Chief of Police, the Tax Commissioner to \$83,000, which would make him equal to the Tax Assessor, and the Clerk of Probate Court to \$65,000, which would make her equal to the other Clerks, to be effective July 1, 2001. Commissioner Jackel seconded the motion. Chairman Hair and Commissioners Jackel, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioners Rayno, Rivers and Murray voted in opposition. The motion carried by a vote of six to three.

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3. SUPPORT OF TAX BILL RELATING TO TAX COMMISSIONER'S OFFICE.

Chairman Hair said, I'm going to ask Tax Commissioner Powers if he would come forward. He called me last week and said there was a bill before the House or Senate, I can't remember, that would benefit his office and he'd like to see us support it. Chairman Hair recognized Tax Commissioner Powers.

Chairman Hair said, we just [inaudible] a raise and then have Danny come up.

Tax Commissioner Danny Powers said, I got a copy of this House Bill if you'd like a copy of it. It's House Bill 142. Speaking of salaries and that type of thing, I'm up here this morning to ask the Board to please adopt a resolution and send it to ACCG, I think, which is your affiliate group, and certainly to our delegation and the rest of the delegation in Atlanta. What House Bill 142 will do, it puts mandatory training for my tag and title processors. It will allow them to become certified in doing that. How this will be funded is simply the monies that we send the State right now, we're currently withholding, and it comes to Chatham County, a dollar for each tag that we process, okay, each tag and registration that is issued the County gets a dollar. What will happen, an additional dollar will be withheld. Fifty cents of that dollar will go to the State Revenue Department, okay, for the certification to run the training and the salary certification and put them on levels. The other fifty cents will be sent to Chatham County. This is going to generate in Chatham alone approximately another \$130,000 annually, so if you would help me on this I would certainly appreciate it. We're trying to get it out of committee, and we hear it's coming out of committee next week.

Commissioner Odell asked, you're for it? Tax Commissioner Powers asked, pardon me, sir? Commissioner Odell asked, you're for 142? Tax Commissioner Powers said, yes sir, absolutely. Yes. Commissioner Odell said, I'll make a motion. Commissioner Rayno said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you, Commissioner Powers. Tax Commissioner Powers said, thank you.

ACTION OF THE BOARD:

Commissioner Odell moved to adopt a resolution in support of House Bill 142 to require mandatory training of tag and title processors, and send the resolution to ACCG and to the State Delegation seeking their support. Commissioner Rayno seconded the motion and it carried unanimously.

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VII. COMMISSIONERS' ITEMS

1. NOTICE OF OPENINGS ON COUNTY APPOINTMENTS (COMMISSIONER JACKEL).

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, again this came out of the recent campaign that I was in. Time after time I would hear that citizens felt cut off from their government and also it's a practical thing. After we've made appointments to different boards I would often hear from someone if I'd have only known that there was an opening I would have called you and possibly I could have been appointed to that or I know someone who would have been better at that. What I'd like to propose is that when we have any opening for any boards we announce it at a Commission meeting and then we run an ad in the newspaper, and people can either nominate themselves or nominate someone else; that we come back at the next meeting and announce at that meeting who has been nominated and print that again so we can get feedback from the public on who has been nominated, and then at the following meeting we would vote. Admittedly that slows all appointments down a month, but I don't think that's any problem. All we have to do is plan for that, and this will give the public an opportunity to see what openings we have, they can nominate themselves, nominate someone else, we have an opportunity to get feedback on who's been appointed, and then we can vote on these things and I think we will get better people to serve on the boards, more interest on people serving on the boards and hopefully better reconnect with the public.

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

Commissioner Odell said, I think that's an excellent idea Mr. Jackel, but rather than doing it on a monthly basis, we can anticipate when terms are going to expire. I would suggest that we do it on a quarterly basis. I think it would reduce the cost and reduce the potential time lag. Commissioner Jackel said, excellent idea. Commissioner Odell said, I think it's an excellent idea.

Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray said, yes, I think it's a great idea. We need to do a much better job on our appointments to different boards we appoint to. We have had some policies that have been in place since 1989 but are not adhered to at this point, and those terms we had at that time was not how we did the appointments, although we did require a bio on the people that we were going to appoint, but we did change at that time where we would have only two consecutive terms on any one appointment and that you could only serve on one board, one County appointment, at the time. We have people right now, one in particular, that's served on two boards and never resigned from the other board after he was appointed to one, and after he was appointed to that we had already given him notification and we could not go back and change it. I think that also still needs to be a requirement. It gets more people involved, we get more people through the community that are willing to serve on boards that can do the jobs that need to be done. I just feel like we need to do something, we need to make some changes to it, and I appreciate Commissioner Jackel bringing this up.

Vice Chairman Thomas recognized Commissioner Gellatly.

Commissioner Gellatly said, I agree with the quarterly announcements, and I also what I would like to see on a quarterly basis when the positions of the various boards come open, I would like it to be very public as to exactly what the duties of being a member of that board is and exactly what that board accomplishes, and I think a lot of the citizens see the various boards and they don't have a clue what the board does, and I think we need to make that very public also.

Commissioner Murray asked, do you know what you're going to do? Are you going to make a motion? Commissioner Jackel said, yes, if we're through discussion, I'll make a motion that –. Commissioner Odell said, and I'll second it. Commissioner Jackel said, at the beginning of each quarter we announce the openings for that quarter of any board that we have appointment power and incorporate what Frank [Murray] said that any person can nominate themselves or someone else, but the candidate must submit a resume to be considered and that we publish the people who are applying for the board in the newspaper so we can have feedback on who they are. Commissioner Murray asked, would you include in that motion to two consecutive terms so we'd have minutes this time because I think that was the problem we had last time it never showed up. Commissioner Jackel said, and two consecutive terms and that no one can serve on two boards at one time. Commissioner Odell said, and a description, as Dave [Gellatly] said, of the board –. Commissioner Jackel said, yes. Commissioner Odell said, what the duties will be. Commissioner Jackel said, yes. Commissioner Odell asked, is that incorporated in your motion? Commissioner Jackel said, throw it all in there. Commissioner Odell said, I'll second that policy motion. Commissioner Murray asked, did you get all that Sybil [Tillman]? The Clerk said, oh, sure.

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

ACTION OF THE BOARD:

Commissioner Jackel moved that at the beginning of each quarter the openings for that quarter on any boards the Commissioners have appointment power and the duties of each board be published in the newspaper so that any person can nominate themselves or someone else, but the candidate must submit a resume to be considered, and then the names of the people nominated will be published in the newspaper so we can have feedback, and all nominations will be limited to two consecutive terms and no one can serve on two boards at the same time. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Chairman Hair and Commissioner Kicklighter were not present.]

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2. RADIO CALL-IN (COMMISSIONER JACKEL).

Vice Chairman Thomas recognized Commissioner Jackel.

Commissioner Jackel said, okay, this is something I brought up once before and didn't prevail on, but I'm -, we've got some new people and maybe we can get it. My proposal is that we have -, wire up so we can have a call-in for fifteen minutes at our Commission meetings so any citizen can call in and say there's dogs running loose in my neighborhood, the ditches are not cleaned, or I'm in favor of what you have on the agenda. It doesn't have to be agenda specific, but they'll have a right to call in because what I got going out there and going door to door is it's people feel that they're disconnected, and that when they do call no one really responds, they don't feel like they're really reaching us, and that if they could do it in a public matter and call in and the whole Commission could hear and it's picked up on our TV feed and all that stuff, it would be very public and they would know everyone was listening or at least hearing what their complaints were and what their concerns were. In my discussion of this, Commissioner Rayno suggested that we do this for fifteen minutes, but if we have no calls for five minutes, that we cut it off at that time so we don't sit around for fifteen minutes. I have no problem with that. I want to see if we can't again reconnect with the public and let them publicly express their concerns so everybody can hear them, and that's my motion. Commissioner Rivers asked, you didn't give each one of them a card when you were going around? Commissioner Jackel said, I did do that.

Chairman Hair said, before -, I'd like to make a couple of comments then I'll call on Commissioner Odell. I don't know about Commissioner Jackel, but I get plenty of public input. I get 85 to 90 phone calls every single day. I think this would create chaos, I think what it would do is be a forum for single issue people. I don't think it would in any way contribute to the public input in the businesslike approach we try to take at Commission meetings, and he brought this up four years ago and I was opposed to it then and I'm still opposed to it. I just think it's a bad idea. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I tend to agree with the Chairman on this. I have eleven neighborhood associations that meet monthly and, where possible, I try to attend those meetings. I get an average of three calls per day, which I turn over to Russ Abolt and his able staff, and knowing what the State Legislators have done en masse to the mental health budget for the State of Georgia, I'm not certain if -, that the quality of the calls would really benefit or achieve that which we're trying to do. I think it would be chaos, I think that it would be disruptive, I think that it would be more of an appearance than an effect. Anyone who -, and I've had people who called and they're in a different district. They'd be in Frank's [Murray] district, I give them Frank's number and say you need to call your Commissioner, Frank Murray-. Commissioner Murray said, they don't have any trouble finding my number. Commissioner Odell said, they don't have any problem calling Frank, they don't have any problem calling Billy [Hair], they don't have any problem calling -, so I haven't had that problem.

Chairman Hair said, Commissioner Murray and then Youth Commissioner Jackson, Commissioner Kicklighter and Commissioner Gellatly.

Commissioner Murray said, I would like to see some type of plan put together, I don't think we need to say we're going to take calls for fifteen minutes, but I think there needs to be a plan put together to look at that and see if it's something that we could support at that time. I don't have a problem either way whether we do or don't do it. I get calls and I respond to those calls, and that's fine, but I don't have a problem with people calling in here either, but I think that there needs to be some plan put together of how it's going to take place if in fact we decide to do it.

Chairman Hair recognized Youth Commissioner Jackson.

Youth Commissioner Jackson said, I just wanted to know, when people call in if a certain [inaudible] on how the situation is dealt with. Chairman Hair said, well, I would assume -, I guess Commissioner Jackel would have to explain his own proposal, but I would assume they would call in and ask a question and we would respond to the question. I would assume that's what you're talking about. Commissioner Jackel said, we would have staff respond what was appropriate. If a ditch is not being cleaned out and it's causing flooding, staff would be alerted and take appropriate action.

Chairman Hair said, commissioner Kicklighter, Commissioner Gellatly and then Commissioner Rayno.

Commissioner Kicklighter said, thank you, Chairman. I believe that we have a good forum right here for people to be able to come forward. Anyone –, they're all welcome to come and speak to us right here. I believe that would possibly open it up to the type situation where you may have people calling in that would not identify themselves and possibly thrill-seeker type people that could say absolutely anything and get on television and the radio with it and would not have to identify themselves, would not have to present truths with what they're saying, and I think that could open us up to a lot of possible problems in the future. I believe we have a great open forum here where people can come out, but when they stand up we see who they are, and they have to be accountable for what they're saying because we know who they are.

Chairman Hair said, Commissioner Gellatly and Commissioner Rayno.

Commissioner Gellatly said, as a new Commissioner, what I've learned is that certainly my constituents are not bashful. I receive phone calls, I receive E-mail, and I'm stopped frequently when I'm out in public. Not only that, but I appreciate that, and I try to be very responsive and have always gotten complete cooperation from the County Manager, and if it's appropriate I'd be more than happy to bring it before this Board. I think that there would be a lot of perils if you had a situation where anybody could get on a microphone anonymously and make any type of a statement. I don't think that it would serve any useful purpose, and I also think that there are excellent avenues of communication that are available to us right now.

Chairman Hair said, Commissioner Rayno and then Miss Johnson.

Commissioner Rayno said, rather than just can the idea, which it looks like it's headed that way again –. Commissioner Jackel said, no. Chairman Hair said, that's the first step of a good politician, he's got to learn how to count. You've got to learn to count to five. Commissioner Rayno said, why don't we let Mr. Jackel go back and formulate some kind of a plan to bring to us so that we know exactly what it is. It's just kind of hanging in the air right now. I would suggest if we're going to do that, that you might have pre-screened calls already so you know who's calling in beforehand, and they're going to call at a specific time; they can't physically make it down here, they might be a handicapped person, they might be a person who just for whatever reason is out of town and has something pressing they want to do. You have pre-screened people who are going to call in at that specific time, and if they don't call it will be a chance for us to walk out in the audience and talk to some of the people out there. They might have questions of things that we've talked about prior to that time, and they might want to just offer an opinion to you. I think if you moved in that direction it would be good. So could we table this idea for another day? Chairman Hair said, if you want –.

Commissioner Jackel said, well, I would –, my suggestion would be –, I'd like to change my motion and have it that we try this as an experiment for three months and then we could make a decision on whether we wanted to do that on a permanent –. Chairman Hair asked, do you have a motion on the floor? Commissioner Jackel said, that would be –, yes, I would like to move that we –. Chairman Hair said, all right, we have a motion to –. Commissioner Jackel said, well, maybe we have. Commissioner Murray said, second.

Commissioner Rivers said, Mr. Chairman, Mr. Chairman. Chairman Hair said, yes, Commissioner Rivers. Commissioner Rivers said, I think –, what I would suggest, rather than doing this, just have it put over the media. We've got our own TV, let them put it over there call your own specific Commissioner on your particular problem. I don't need to take care of –, I'm up here sometimes in this office and I take calls from all you guys and pass it on to the Chairman or to the County Manager. Chairman Hair said, yes, you pass some to me too. Commissioner Murray said, and I appreciate that. Commissioner Rivers said, but let it go for the meeting. We've got media access and most people watch TV.

Chairman Hair said, okay, let's get quickly the three people that haven't spoke, Miss Johnson and then Commissioner Rivers and then Mr. Kicklighter and let's go ahead and make your motion, okay.

Youth Commissioner Johnson said, my question has already been answered. I just wanted to know like could people call all of you like at the same time. I hear you talking about and talk with all of you at the same time, maybe not on the air, but some people might call in and not be serious about what they are saying, but is there a service that you have or can have where they can call in and talk to you because everybody can't make it down here to be at the meetings, but some way they can call and talk with all of you at the same time, but be serious about their calls.

Chairman Hair said, Commissioner Kicklighter and then Pete [Nichols] real quick. I want to wrap this up here.

Commissioner Kicklighter said, I think if we have the capabilities with our cable channel, I think it would be a great idea to have Commissioner Jackel and Commissioner Rayno possibly host a live television call-in show and, I mean, if we –, and I think it's an excellent idea. Chairman Hair said, we'd have our own Jay Leno's, right? Commissioner Kicklighter said, yes, let them actually host one and invite the public to call in.

Chairman Hair said, all right, Pete [Nichols] quickly.

Mr. Pete Nichols said, taking our cable channel meetings live is our goal right now of that channel, and one of the things that you failed to address as far as, say, screening calls or whatnot, having those calls screened and knowing what the topic is, what they want to talk about, when you listen to a radio call-in show, be it any of the conservative or sports shows or whatever, they're tape delayed, they're tape delayed seven seconds so they can cut off whoever it is that's going to make

an obscene phone call or whatever, but in that studio it's live. Now you've got to remember this would be the studio, it would be live, so they could tell the screener whatever topic they want to talk about and once they get on the air –. Chairman Hair said, they say whatever they want to. Mr. Nichols said, they say whatever they want to.

Chairman Hair said, okay, we have a motion and a second, and the motion is to –. Commissioner Jackel said, try this for three months. Chairman Hair said, all those. Commissioner Murray said, there's somebody in the audience that wants to speak. Chairman Hair said, yes sir, please come forward. Come forward, sir. State your name for the record, sir.

Mr. James Cook said, James Cook. Chairman Hair said, okay, Mr. Cook. Mr. Cook said, all right, I've been a citizen of Chatham County for 33 years. I like what Mr. Jackel has suggested and for what Mr. Rayno said as far as covering the audience here. You get a lot of people here at times, but I notice also that you cut the audience off very, very quickly and short when it drags on too long up here. Don't forget about your audience. They're important to each and every one of you and all of us. Thank you.

Chairman Hair said, thank you, Mr. Cook. All those in favor of the motion vote yes –. Commissioner Odell said, restate the motion so I don't vote wrong. Chairman Hair said, the motion is to try a radio call-in show for three months on a trial basis. All those in favor should vote yes and opposed vote no. Commissioners Rayno, Jackel and Murray voted in favor of the motion. Chairman Hair and Commissioners Rivers, Odell, Gellatly, Kicklighter and Thomas voted in opposition. The motion failed by a vote of six to three. Chairman Hair said, the motion fails.

ACTION OF THE BOARD:

Commissioner Jackel moved to try a radio call-in show for three months on a trial basis. Commissioner Murray seconded the motion. Commissioners Rayno, Jackel and Murray voted in favor of the motion. Chairman Hair and Commissioners Rivers, Odell, Gellatly, Kicklighter and Thomas voted in opposition. The motion **failed** by a vote of six to three.

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3. RETREAT FOR FUTURE PLANNING (COMMISSIONER JACKEL).

Chairman Hair recognized Commissioner Jackel. Chairman Hair said, he's got a lot on his mind today.

Commissioner Jackel said, that's right. Things I tried to pass and didn't get anywhere. We need to do –, we're too reactive and not proactive enough to commitment and we need to do better with future planning, and a way for that –, for us to do that is to designate a specific time and have staff do the planning and their presentations and for us to come up with future planning, and my suggestion would be –, is that we go to a place, like Tybee. I think we ought to stay in the County, and we have an abbreviated meeting on a Friday morning and then spend the rest of the day in a planning session and Saturday, and see if we can't come up with some future plans so we have some vision of where we want to go in three years, five years, ten and twenty because some of our road projects and other things unfortunately take so long, but I think it's high time we did this. I think it needs to be done annually, but I'm just proposing it for one time now that we spend two days in reviewing where we are and planning for the future, setting a clear point for us to head towards.

Chairman Hair said, I would suggest, Commissioner Jackel, that the way to handle that, and I think the staff's been very complimentary in the last few years of our goal-setting sessions where we get around and before they put the budget together we sit around and we give goals for the year, and that's been very helpful to staff. What we could do, we could incorporate your idea is just expand that session and instead of doing one-year goals, we could do two-year, three-year, four-year goals, but I think that would be the appropriate time to do it, is just expand the existing planning sessions we have when we're doing our goal-setting sessions in advance of the budget preparations, and I know the Manager has said to me a couple of times personally he really appreciated that and he thought it really helped him a lot. So I think we already have that in place for the next year, and what we could do is take your idea and say we'll do it for two or three or four years at the same time. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I like the idea of a planning session. I just don't want taxpayer dollars spent on a retreat. Chairman Hair said, yes. Commissioner Rayno said, that's just bad news to me spending money on hotel rooms and all that. If it's done in the Green Room here, fine. Chairman Hair said, well, we do it here in this room. Future –, past sessions have been done right here in this room, we get the big square table set up and I think it's worked very well. I think all the Commissioners had, you know, great input to it. Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, we have had meetings before. I remember attending a retreat at Tybee, but we didn't stay in a hotel, we stayed at our homes. Commissioner Rayno said, good. I'm just thinking of the School Board where they think they're butterflies. Commissioner Thomas said, no, we stayed at home, but we would commute, you know, each day. It was two days and we commuted on both of those days, but we had the retreat there and it was a very good meeting. And let me say this. The more –, I think that when we, as Commissioners, can get together and really get to know each other, then we're going to be able to make better decisions, our short-range and long-range, so that we won't be so skeptical

about, you know, certain things with each other, and that's where I think a lot of problems, you know, come in. So, the more we get to know each other, the better we can plan and make better decisions, and I would be for it.

Chairman Hair recognized Youth Commissioner Jackson.

Youth Commissioner Jackson said, speaking of the planning, [inaudible], like, you guys have a mission you're trying to accomplish instead of just making plans and not having –, having nothing to go for? Chairman Hair said, yes, we do that, plus we also have the goals that we set and then from goals we do objectives and then we do the budget from that. It's a process. Youth Commissioner Jackson asked, is it [inaudible]. Chairman Hair said, it's open. It's an open discussion.

Chairman Hair said, Commissioner Odell and Commissioner Murray.

Commissioner Odell said, I think the young man's statement is very good. I'd like to see that go beyond just the Commission. I'd like to see for each department for there to be a clear mission statement. I think in the past if we'd had a clear mission statement for the Tax Assessor's office then some of the problems and some of the questions we would not have had. Everyone would have been on the same page, so I think that's a good idea from Mr. Jackson, who is Beach High School, and I just say that's in the Fifth District. I'm not running. Chairman Hair said, yet.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I think it's a good idea to have something like this, and I agree with Commissioner Thomas that it's not something where we have to go out and stay in a hotel room or anything else. If it's at Tybee or another place out in Chatham County that we can do it [inaudible]. What we seem to do is come up here and address items on our agenda twice a month. We do have some other meetings from time to time, we do have our budget sessions, but I don't see us really doing any long range planning, even our drainage plan, even though we say it's long range, it's not long range and it's not going to make that much of a difference once it's completed, and I think we need to go much further than what we're doing now and look into the future and not just try to put out these short fires and put the items that we put on for our everyday stuff. We need something more than that and I think to do something like this really to me should not be a part of the budget session because this is totally different than our budget.

Chairman Hair asked, Commissioner Jackel, do you want to make a motion? Commissioner Jackel said, yes, I make a motion that we have a two-day planning session that incorporates a Friday meeting for a site to be determined. Chairman Hair asked, do you want to put a time frame on it, in the next three months, six months, or what? Commissioner Jackel said, yes, within the next three months. Commissioner Rayno said, second. Chairman Hair said, okay, we have a second. Any further discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Jackel moved that at some time within the next three months the Board hold a two-day planning session that incorporates a Friday meeting for a site to be determined. Commissioner Rayno seconded the motion and it carried unanimously.

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4. HIGHWAY 80 AT JOHNNY MERCER DEVELOPMENT PLAN (COMMISSIONER MURRAY).

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I keep hoping that this thing will be done like it's supposed to and we won't have any more conflicts about it, but it seems like every time we turn around there's something else coming up on this one development. Originally, and a matter of fact y'all have copies of the minutes of the two meetings where we addressed it. The first meeting where we approved it contingent upon certain things being done, I met with the developer before it ever came up at the first meeting. We sat down, we looked at the plan, I told him what I would support and what I wouldn't support, he was at the meeting and it states in our motion that he agreed with everything we put in there. It was approved and it went to the MPC. Several weeks or a month or so later we got notices that MPC was getting ready to address something and it didn't have to come back before this Commission. It states as plain as day in our minutes what was done and what was supposed to be done, and then they start calling the County Attorney for his opinion, and it states in there exactly what we said. It's not hard, I think a first grader could read it and understand it, and I just want to know where this project stands, what's going on and why we keep getting changes and they don't come back before this County Commission for approval like was suggested and like was in our motion to do so. That's the only question I'm asking. If you want to give your opinion, you can give it to anybody you want to. I don't care. I don't have to agree with it, but it's in our minutes what we voted on, the restrictions that I put in there when I made the motion, and I expect it to be carried out by everybody including the MPC. Now can I get some answers on it?

Chairman Hair recognized County Attorney Hart.

County Attorney Hart said, there were two meetings. My understanding is there were three conditions at your first meeting that were set out. That plan went back to the MPC, they came back to the meeting, that plan was approved with no changes from this Commission. The only other additional thing that I was asked to do was to review the covenant prior to allowing the thing to go through. At the last MPC meeting they did not have the covenant so we would not go forward at that time. Since that meeting I was presented with covenants from the Corps of Engineers, which are more restrictive than the Department of Natural Resources covenants. They appear to be in compliance with all the conditions we set forth in both the meetings before Chatham County, and that is the last I know of it. I know of no deviation in the general plan or the specific plan that was approved by this Board. Now I don't know if you have additional information.

Commissioner Murray asked, is that a verbal from the Corps of Engineers or do we actually have a letter in writing that they've accepted that and that property is now in that trust. County Attorney Hart said, we have about a 15-page document filed in the Superior Court of Chatham County's land records. Commissioner Murray asked, now is any of that property that was supposed to be given in this trust, or whatever you want to call it, is any of that being used for the drainage and other things, and is that area smaller now than what it was originally? County Attorney Hart said, to my knowledge, and Milton [Newton] or somebody from the MPC might be able to answer that, but I understood there was no deviations from that plan that you met with them and approved.

Mr. Bill Saxman said, no deviation that we know of at all as far as talking with the County staff. The only issue we knew that it had to be confirmed, and we confirmed that that was in place before we approved it. Now when we do approve —, did approve the general site plan it was still approved with a caveat that a written document from the County's staff would be in hand before we signed off on it, so even though the Planning Commission approved the general site plan that is in compliance with the general plan that was approved by the County Commissioners, that is still a condition of that plan that before we on a staff level would sign off for any kind of development on that site, we were going to get a —, in-house a document that verifies that, and we had been told verbally that it's in place and that's how we've handled it, and it's still a condition of that site plan.

Commissioner Murray asked, do y'all have that letter from the Corps of Engineers —. County Attorney Hart said, yes sir. Commissioner Murray asked, in the MPC office? Mr. Saxman said, right. Right. We've got it in the file, but we haven't gotten a letter from the County saying [inaudible]. Commissioner Murray asked, the masonry fence —? Mr. Saxman said, we've talked with the County, but we don't have anything in writing. Commissioner Murray asked, the masonry fence is still going to be put in, is that correct? Mr. Saxman said, right, on the overall development. Commissioner Murray asked, not a cyclone fence? Mr. Saxman said, now it was not a part of this particular site here because this site is separated a hundred feet or so from actually where the next site's going to be developed where the fence would back up to that. Now when that next site in the general development plan comes in for that, that's when this fence would be required. For the first site it does not abut that buffer area. Commissioner Murray said, bit what I'm saying, when the fence goes in it will go down to Johnny Mercer and also the Blue Heron Subdivision. Is that right? Mr. Saxman said, right. This little fence on the general development plan that y'all approved is still on the plan. Now the general site plan that MPC approved the other day is separated from that fence line by another lot, so it does not abut that fence line. Commissioner Murray said, all the discussions I had with the developer was that they would have an upscale restaurant, there would be a theater and there would be a motel in there. Mr. Saxman said, now there were a lot of discussions back when they came in with the plans it would be, but this meet the code as a restaurant. This is a restaurant in accordance with the County Code and in accordance with that general MXU district that was approved. It's a restaurant with a drive-through window, and that is a permitted use. Commissioner Murray said, we're getting ready to get exactly what he always builds in most of his developments after he agreed to do something else. Mr. Saxman said, well, this first use as a restaurant is as high scaled as probably you or our staff thought it was going to be, but it does meet the code, and it does meet that requirement. Commissioner Murray said, it is a fast food restaurant is what it is. Mr. Saxman said, it's technically not a fast food by the code, but it is not a —, what I would call a —. Commissioner Murray said, it is —, I don't care what the code says, that's what it is.

Chairman Hair asked, any questions. Thank you. Chairman Hair recognized Mrs. Heimes.

Mrs. Marianne Heimes said, my name is Marianne Heimes. I'm glad to be able to speak and not have to go home and use my telephone today because you might have cut me off. We have some serious concerns about this Wendy's. The Islands Citizens for Logical Growth, in response to requests by MPC, has tried to work with developers in order to come to some consensus on development in which we are in conflict. In most cases this has worked out to the benefits of all with concessions being given on both sides. Our group met with Mr. Ernie Friedman on numerous occasions going back probably two years. We meticulously went over the list of approved uses for his zoning request and one of the unanimous decisions of our group was no fast food restaurants. Oh, no, said Mr. Friedman, we're talking about an upscale restaurant. Mr. Friedman was both anxious to get Colonel Lee Bourne to sign a letter of approval for his project, but it was felt by our group that it was not our mission to approve developments in writing. We have seen over the years that what you see is usually not what you get and have become, if you will, gun shy. So it was great disbelief considering our many meetings and even taking the time to walk the property that we found that Mr. Friedman was bringing a Wendy's to this site. Now as you know, we are concerned with increased traffic with little or no concern shown from the County to put a fast food restaurant in an area which is already heavily traveled, particularly in the Summer, and let it be accessed from both Johnny Mercer and Highway 80 seems to me to invite disaster. This was a special designation for Mr. Friedman requiring mixed

use. You have approved the one use that the ICLG abhors, which was made very clear to Mr. Friedman, and to my knowledge there are no other uses that have been proposed. Will a Burger King be a mixed use because it has two words in its name rather than one? Will even an Outback, the restaurant most frequently mentioned, be appropriate even though it is upscale? In other words, if you have a mixed use classification, which we understood to mean a combination of uses, such as office buildings and retail or restaurants, again no fast foods, will two restaurants be –, with different names fit the bill? If you wonder why citizens shake their heads, this is a prime example. Our group and groups preceding us have fought long and hard for Highway 80 from becoming another Abercorn. In one fell swoop this project negates all this work and opens Highway 80 to a future of strip malls and fast foods. In the future our group will have a new phrase when discussing proposed development plans: Are we being Freidmanned? Thank you.

Vice Chairman Thomas recognized Commissioner Murray.

Commissioner Murray said, as all the Commissioners have seen, we have a meeting scheduled I believe on the 7th of February at the Civic Center. I talked to one of the City Councilmen last night and he said he knew nothing about it. Have they been notified? He said they had not. Mr. Milton Newton said, we have been working with the City Manager and I received I believe yesterday a copy of the letter that he has sent to the Mayor and Aldermen. He asked that we work through him. Commissioner Murray said, okay, well, I just –, one of them knew nothing about it last night. There is a real need for that meeting, and after that meeting to start addressing zoning ordinances that we have in Chatham County. The proposal, the way I understand it from the County Manager's office, Russ [Abolt], is that it would take, what, a year and a half, two years, three years to implement all this? County Manager Abolt said, yes sir, I give you 18 months. Commissioner Murray said, I have a problem with that. If we wait 18 months to a year to implement it, it's going to be too late. It's already too late in a lot of areas, and I feel like as soon as this meeting that we have on the 7th is over with we need to come back to the Commission and make some changes and move forward with it. I don't think we can wait 18 months or 24 months or three years to implement the changes that are necessary to address the changes we've seen in the areas that it's affecting.

Vice Chairman Thomas asked, any further discussion? What is your pleasure? Commissioner Murray said, all the discussion is –. Vice Chairman Thomas asked, did you want to make a recommendation? Commissioner Murray said, I'm not the only one that's watching that project, so I'm going to tell you if there are changes made, it's coming back again. I just wanted to make a point and I think I've made it. Vice Chairman Thomas said, okay. Did you want to speak?

Commissioner Kicklighter said, I'd just like to let the people at Wendy's know that if they want to come out to the Westside, we'd appreciate them locating out there. Arby, too, we'll take you out West. Commissioner Murray said, I don't it was a problem about the Wendy's being on the Islands. I think it's a problem about the location for what they were doing and what was promised up-front, that's all. You have to understand a lot of things to be making comments, but that's okay. Commissioner Kicklighter said, I'm not making light of this situation here. I've seen your concern, but –. Commissioner Murray said, I hope not because I won't make light of anything in your district. Commissioner Kicklighter said, thank you, sir.

Vice Chairman Thomas asked, no further discussion? Okay. So we aren't going to take any action on that, right?

ACTION OF THE BOARD:

This item was received as information. No action was required.

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5. PURCHASING TICKETS FOR PUBLIC EVENTS (COMMISSIONER RAYNO).

Vice Chairman Thomas recognized Commissioner Rayno.

Commissioner Rayno said, thank you, Dr. Thomas, I appreciate that. As the beginning of common sense cost-cutting measures I'd just like to make a short and sweet proposal today that we discontinue the practice of buying tickets for Commissioners on a blanket basis. What that does is we'll have an event in town and there'll be an empty table there, no Commissioners. What I'd move today is that we only buy tickets for Commissioners who are going to show up for specific public events, whether it's profit or nonprofit, so we're not wasting taxpayer dollars.

Commissioner Odell said, just a point of clarification. Vice Chairman Thomas recognized Commissioner Odell. Commissioner Odell asked, how much is that waste? I direct that to Mr. Rayno. In that we're wasting public dollars, what are they? Can you give me an amount? Commissioner Rayno said, I can give you a specific example. Commissioner Odell said, no, what I need is in that we're wasting dollars, can you tell me how many dollars we're wasting? If the answer's no, then I'll direct it to staff?

County Manager Abolt said, this is out of the –, your budget. I would have to consult with Ms. Gordon and the Chairman. I have no experience in just other than the fact that I know from time to time, as Commissioner Rayno said, there will be

events and it's the wishes of the Chairman and potentially sometimes other members of the Board that there be an opportunity for the Board to attend, but it's always left up to you in your schedule to decide whether you wish to attend or not.

Commissioner Odell asked, so the way it is now, on an event by event basis we make a decision? County Manager Abolt said, it's my understanding, sir, I would feel much better were the Chairman here. My understanding as I've observed it in the past is the Chairman or members of the Commission will be contacted if there's an event and then solicitation normally is will you, Mr. Chairman, authorize the purchase of, you know, a table, and that's done occasionally. I can't tell you how frequently nor how expensive it is. Commissioner Odell said, right. Mr. Rayno, what I would recommend is that any --, prior to any table being purchased for any event that we collectively as a Commission are notified and we collectively have to make a decision. That way, you know, if we're only going to have one or two people, I agree with what you're saying. We should not buy a table of 10, but I think that as it comes up on an item by item we have a chance to address that rather than having a policy now which attempts to bootstrap a decision that we're going to have to make anyway. Make sense?

Commissioner Rayno said, I'm afraid if we don't have a policy in place the practice will continue unbeknownst to the public. I mean for --, I want to give you a specific example. I'm in the Friends of Johnny Mercer before I entered this Board and the Commission bought a table for \$250 and nobody showed up except for Ben Price, who bought his own table on top of that, and it was a waste of taxpayer dollars of \$250, and to me each and every dollar of the taxpayer's money is very important, and if you all it all up on a big grand scale it adds up to a whole lot of money.

Commissioner Odell said, well, we --, if I could just finish, Dr. Thomas. I agree. My proposal does not --, and I have no proposal to do anything other than what we're doing with the exception that items come back for us to review and then as a Commission, as a body we make that decision. I don't think that we should continue if in fact we are, that's why I asked regarding the magnitude, to purchase tables at events which are not attended by Commissioners because we get hit on as a law firm, we buy tables to literally everything and the reason is a public relation. I'm not saying that this Commission should do that, but I know on some occasions we do.

Commissioner Rayno said, there's a difference. A law firm is a for-profit organization and we are a government agency and we are in charge of these taxpayer dollars and we have stewardship of that money and we should not be spending money if we're not using it.

Commissioner Odell said, Mr. Rayno, I know that you understand that I know the difference between a private and profit so your explanation was obviously for the audience and not to me. I understand the difference, it was used as an example, but --, now that the Chairman is here we probably can address it, and that is buying tables at events.

Chairman Hair said, what we've done historically is --, there's only been several events during the year that we historically have bought tables for. We always have bought tables, I believe, for the NAACP banquet, for I believe at the Chamber of Commerce meeting. I'm not sure off the top of my head. I don't want to speak --, but there's not too many events that I can recall that we buy entire tables, and what we have been doing in the past is that once the table is bought we would seek out the Commissioners who wanted to go, who wanted to attend and then once the Commissioners have identified their desire to go or not desire to go, we would open it up to staff and staff would fill those positions, County staff would fill those positions. I'm not aware of any --, in fact, I know we've never bought tables for anyone or tickets for anyone other than Commissioners or staff. So that's just been what we've always done in the past, and obviously this Commission has the right to do what it wants to do. If it wants to change that policy, it certainly can change it, but I'm not aware of the issue. We've always had good representation. I will say, quite frankly, the City of Savannah usually has much better participation at these events than we do, and I think it's important --, you know, we talked a while ago about getting out into the community and listening to the community, and I think it's always a good representation of the Commission to attend these functions. I go to almost all of them. I can't remember the ones I've missed, and many of the Commissioners go to them, but again if the policy --, if the wish of this Commission is to change the policy, that's up to the wishes of the Commission. Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, what I would say on that, I'm concerned about what Commissioner Rayno had to say, I think we need to do a better polling once we get a table for the Commissioners that if someone could make sure that they're going to show up or make sure that we have staff there to fill up those tables because it is wasteful if we don't show up. Chairman Hair said, well, you know, I'm glad you brought that up, Commissioner Rivers, because we --, at the Businessman's Breakfast at the MLK celebration last meeting I gave tickets to you --. Commissioner Rivers said, I was sick. I was sick. Chairman Hair said, and to several Commissioners and they didn't show up. Commissioner Rivers said, I was sick that day. Chairman Hair said, so I'm not sure what Commissioner Rayno is referring to. If he's saying it's --. Commissioner Rayno said, my intent is that we should just buy the tickets we need and don't just go out and buy blank seats. Chairman Hair said, yes, well, certainly I think that we should certainly utilize any tickets we bought. I think we certainly should do that, and I think we've done that, Commissioner Rayno. As I said, if we had the situations where we didn't have enough positions at a table, we'd always ask --, we'd give the tickets to staff. Commissioner Rayno said, well, the example I used was an empty table at an event that was packed out, and it looked --, the intent was to say that the Commission supported the event but nobody was there and it gave the impression that nobody on the Commission cared even though you spent the money. Chairman Hair said, yes, okay. Well, I think that's --. Commissioner Murray and then Commissioner Kicklighter.

Commissioner Murray said, I just think –, I agree. I think we need to do a better job of informing the Commissioners as soon as we find out there's an event going on. One example, and I didn't know anything about the one for MLK. I already had a previous commitment for that morning anyway, but I didn't know anything about it so I didn't have a ticket, but that's beside the point. I know that we paid a portion of the Chatham/Savannah Day that was just held in Atlanta this week. To my knowledge there were two Commissioners there, Commissioner Rivers and myself –. Chairman Hair said, I was there. Commissioner Murray said, you were? I didn't see you. Chairman Hair said, yes. Commissioner Murray said, so three of us. I understand that they were given 15 tickets. I called the County office to find out where my ticket was and they didn't know anything about it. I went down to the Chamber and I wrote a check for my wife's ticket because she was going to be with me so to make sure she got one her's came in the mail with a nice note where they sent the check back also and said they were giving her one because she was going with me, but that's –, at least I went down and I wrote the check for that, but I just think we need to do a better job of polling to make sure that everybody's aware of it, when we will receive tickets if we're going to these functions, and if we're not going, then we can state that at the same time, but I agree with Commissioner Rayno, we do need to do a better job of polling the people.

Chairman Hair said, okay. Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I agree with Commissioner Rayno. I believe we ought to –, I believe staff ought to contact the Commissioners and whoever's going to attend, purchase that seat and that seat only. There's no need in wasting money. It's the taxpayer's money and I don't see where that will be a problem contacting each individual to find out, and if they're not going to use it, then there's no need in spending the money.

Commissioner Rayno said, I'll change my motion then to just buy tickets on a on-needed basis. Commissioner Murray asked, on a what? Commissioner Rayno said, on-needed basis. Commissioner Rivers said, I'll second that.

Chairman Hair said, second. Okay, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you.

ACTION OF THE BOARD:

Commissioner Rayno moved that the Commissioner purchase tickets to events on an as-needed basis. Commissioner Rivers seconded the motion and it carried unanimously.

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6. EOA ANNUAL REPORT FROM JOHN FINNEY (2-3 MINUTES) (COMMISSIONER THOMAS).

Chairman Hair said, I'm going to call on Dr. Thomas to introduce Mr. Finney. Chairman Hair recognized Dr. Thomas.

Commissioner Thomas said, thank you, Mr. Chairman, members of the Commission. I'd like to introduce to you Mr. John Finney. You know Mr. Finney. He is the Director of the EOA and he is here to make a short presentation, giving us his annual report, and I think he has with him this morning Mr. Terry Tolbert and there may be some other staffs that I can't call their names right this minute.

Chairman Hair said, come forward, Mr. Finney. Come on up. Commissioner Thomas said, come forward. You know, Mr. Finney comes to us every –, reports every year and gives us a report, and we certainly want to thank him for doing that because he's one of the few agencies that does that.

Mr. John Finney said, Mr. Chair, I appreciate this opportunity to make a short presentation to the Commissioners this morning. We always reiterate the fact that EOA was founded by the City, the County and the Board of Public Education. January marks our 36th year of operation in Savannah, and I have with me several staff persons this morning. To my left is Lenora Broome, who is the Deputy Director for Administration, and to my extreme right I have Fletcher Woodward, who is the Finance Officer for EOA, followed by Mr. Terry Tolbert, who is the Deputy Director for Housing and Economic Development. I heard Commissioner Jackel make a couple of statements about statistics. Our statistics are at the end of each programmatic area, so if you really would like to know how many people we served in the particular area, if you would just read the byline are at the end of the article you will see exactly the number of people we served. We usually supplement our report with a formal letter from the Chairperson of our Board of Directors indicating the total number of people served during the past year. The only thing that I can say about this year's report is that we made several new partners and we are particularly proud of our housing effort. We want to thank you for the money that you give us for housing counselors and at the same time yesterday we went before City Council to thank them for the money that they put into our housing operations. We are particularly proud of the fact that we have graduated well over six or seven hundred people in the first time homebuyer's education classes. Ninety-seven people have graduated, and when you look at the amount of money put in by the County and the City, it really helps our clients to qualify for \$5,388,896 as we speak, and of course last Wednesday we had people going into a new class. Many of these people have bad credit, but they had to tighten their belts, and after going through our classes they qualified for well over \$5 million. So in terms of cost benefit analysis I want

you to know where your tax money is going. If you have any questions about our report, you can give us a call and we would be more than glad to give you some explanations about the amount of money that we spent. We are audited by the firm of Bob McCorkle and Mike Canady, and so questions that cannot be answered by the staff then we refer you to the auditing firm, but this book is a fair representation of the amount of money that we have spent and, of course, I really want to announce this morning that we're operating the Georgia Department of Human Resources in the Energy Assistance Program. We served well over 3,000 people last year, and we think it's significant to mention this because we are presently taking applications for energy assistance: electricity, gas and, believe it or not, we serve a lot of people who still heat their homes and cook with wood and coal. That may sound like the dinosaur ages to many of you, but we still work with that kind of clientele. So that is it. If you will take the time sometime tonight to peruse the different programmatic areas, you will see exactly or how many people that we have served. We have a finance page here which is a breakdown in terms of how much money you give us and what the overall funding is for the organization. If you have any questions, I would be more than glad to answer.

Chairman Hair said, Dr. Thomas and then I'd like to make a comment.

Commissioner Thomas said, I don't have a question. I need a book, I need a report. Chairman Hair said, it was in an envelope. It's in a brown –. Commissioner Thomas said, I looked. Mr. Finney said, I think we provided copies to all Commissioners.

Chairman Hair said, Mr. Finney, I –, you've known for a long time I have great respect for you. I think you operate probably the finest social service agency in Chatham County –. Commissioner Thomas said, yes, he does. Chairman Hair said, in this region, and you've done it for many, many years, and I just want to tell you personally I thank you for what you do. You do an outstanding job and have for many years in this community. Chairman Hair recognized Commissioner Odell.

Commissioner Odell it is amazing. This is the second time that our Chairman has taken exactly what I was going to say and said it first. Billy [Hair] has to stop that. But, John [Finney], you know that I have deep respect for you and your organization, not only on behalf of the people of the Fifth District, but also many of my clients who utilize your services. I think this is an excellent report and we appreciate your providing such a detailed overview of how the monies that are spent, and thank you.

Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, I'd just like to say that I've had the honor and privilege of working with the EOA and specifically John Finney for 21 of the 36 years they have been in existence, and I can assure my fellow Commissioners that John Finney understands and utilizes statistics very well, and I can also assure you that he's very tight with a dollar. Okay? And he has excellent staff. I'm looking at the Deputy Director Tolbert. I know he comes from good stock because his wife's a Deputy Chief of Police in the City of Savannah. I'd just like to thank you. I appreciate the good job you're doing.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, John [Finney], Ms. Broome, Fletcher [Woodward] and Terry Tolbert, I just want to take this time to say thank you for all that you have done for me in the past year. I've referred quite a number of people in dire straits to Terry [Tolbert] this past year, and he has ably taken care of them, and I want to thank you for the services that you have provided and just hang in there and we'll support you in whenever and wherever we can.

Mr. Finney said, well, I just want you to know that nonprofit agencies have a very difficult time trying to survive. We have to raise over a million one hundred thousand dollars every year in cash or in-kind contributions. At the beginning of the year the clock begins to tick, and believe it or not we come very, very close to pulling in that money. It's not very easy at all, but we feel in terms of cost benefit analysis, you need to know where your money is being spent and you need to know what you're getting out of it, but if you see nothing else in here that you feel that you can support, the housing effort is worth the benefits, you know, and the cost that you place in us. So, we take that confidence very seriously and we just want you to know that we are also going to publish a copy of this in the *Savannah Morning News* so if there's anyone who has any questions, we can open it for public debate, and as I said before, if I can't answer it, the staff will. We'll get in touch with our auditors at McCorkle and Canady and make sure that you get the answer, but please if you have anyone who needs energy assistance, please let us know because the weather has been very, very cold and we're taking as many as 400 applications every Monday morning.

Chairman Hair recognized Commissioner Murray. Commissioner Rivers asked, can I have an application. Mr. Finney said, only for those who qualify.

Commissioner Murray said, you know, I've sat here and listened to all these great things they've said about you, but my question is with all these great things happening, how did you get Fletcher [Woodward] working with you? Mr. Finney said, well, I'm going to make a statement now that –. Commissioner Murray said, Fletcher [Woodward] knows I'm joking. Mr. Finney said, right. We looked for a Finance Officer for 12 months, and I think that Fletcher [Woodward] is anointed. Some people may not be able to identify with anointment because it's a Christian term, but there are some things that you can't find, you know. Some people just have to be anointed. That's the only thing that I can tell you, and I can tell you he's worth

every nickel and dime that we pay in his salary. Commissioner Murray said, see what I got for you, Fletcher [Woodward]. In public.

Chairman Hair said, thank you very much, John [Finney]. I appreciate the work y'all do and, as Joe [Rivers] said, we'll try to help you any way we can. Mr. Finney said, thank you very much for your time. Commissioner Thomas aid, thank you. Chairman Hair said, just keep up the good work that you do.

ACTION OF THE BOARD:

Received as information. No action was required.

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VIII. TABLED/POSTPONED ITEMS

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

- * 1. **AN AMENDMENT TO THE CHATHAM COUNTY ZONING ORDINANCE AND TO THE CHATHAM COUNTY CODE CHAPTER 9, ARTICLE 1, MANUFACTURED MOBILE HOME PARK STANDARDS TO REVISE THE LANGUAGE OF THE ORDINANCE TO ASSURE THAT CURRENT DEFINITIONS CONFORM WITH STATE AND FEDERAL STATUES. THE MPC RECOMMENDED APPROVAL OF THE AMENDMENTS. (NOTE: *MEDICAL HARDSHIP ISSUE IS NOT INCLUDED IN THIS AMENDMENT.*)** Tabled at meeting of January 12, 2001.
MPC FILE NO. Z-001010-34439-1
[NO DISTRICT - UNINCORPORATED AREA.]

Chairman Hair said, I believe we're ready to take it off the table. Is that correct? County Manager Abolt said, yes sir. You may for the continuity of the issue have this come off the table at the time of your second reading. You have the subject of mobile homes, and this is one of those chapters in that subject. Chairman Hair said, all right.

* * *

[NOTE: Discussion and vote on this issue was held simultaneously with Item XII-2; however, a motion is shown on this item as though an individual motion was made thereon.]

ACTION OF THE BOARD:

Commissioner Rayno moved to approve an amendment to the Chatham County Zoning Ordinance and to the Chatham County Code, Chapter 9, Article 1, Manufactured Mobile Home Park Standards, to revise the language of the ordinance to assure that current definitions conform with State and Federal statutes. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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IX. ITEMS FOR INDIVIDUAL ACTION

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

1. **REQUEST BOARD APPROVE THE FOLLOWING: A GENERAL FUND M & O BUDGET AMENDMENT TO RECOGNIZE \$65,000 IN REVENUE FROM STATE OF GEORGIA FUNDS AND APPROPRIATE \$65,000 TO JUVENILE COURT FOR IMPLEMENTATION OF THE CLASSIFICATION AND COMPENSATION STUDY; A SPECIAL SERVICE DISTRICT BUDGET AMENDMENT TO RECOGNIZE \$150,000 IN REVENUE FROM RESTRICTED INSPECTIONS FEES AND APPROPRIATE \$150,000 FOR TRANSFER TO THE CAPITAL IMPROVEMENT PROGRAM FUND; A CAPITAL IMPROVEMENT PROGRAM FUND BUDGET AMENDMENT TO RECOGNIZE \$150,000 TRANSFER FROM SPECIAL SERVICE DISTRICT AND APPROPRIATE \$100,000 TO THE ICS IMAGING PROJECT**

AND \$50,000 TO THE AIR NATIONAL GUARD PROJECT AND A CAPITAL IMPROVEMENT PROGRAM FUND BUDGET AMENDMENT TO RECOGNIZE LOAN PROCEEDS IN THE AMOUNT OF \$1,852,450 FOR THE COUNTY'S NETPLAN 2000 PROJECT; AND A TRANSFER OF \$2,350 WITHIN THE ANIMAL CONTROL BUDGET FOR SALARY ADJUSTMENTS.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Rayno said, move for approval. Chairman Hair asked, second? Commissioner Odell said, second. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Russ [Abolt], could you explain the restricted inspection fees. County Manager Abolt said, yes sir, this is just a consummation of action you've already approved. The restricted inspection fees, as the Board so well knows, are governed by State law. We are allowed to apply them to certain very high priority projects. In the case of this action, Dr. Thomas and gentlemen, you realize those two high priority projects were the improvement to and now the move into the handsome facility for Building and Safety out on Eisenhower plus all the technical support they need from the standpoint of computerization and imaging. This is a major step forward made possible by a department that is self-supporting. Do you have any questions? Commissioner Murray said, no, I just wanted to –.

Chairman Hair said, all those in favor vote yes, opposed vote –. The Clerk said, excuse me. Who made that second? I didn't hear a –. Commissioner Odell said, I did. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Rayno moved that the Board approve the following: a General Fund M & O budget amendment to recognize \$65,000 in revenue from State of Georgia funds and appropriate \$65,000 to Juvenile Court for implementation of the classification and compensation study; a Special Service District budget amendment to recognize \$150,000 in revenue from restricted inspections fees and appropriate \$150,000 for transfer to the Capital Improvement Program Fund; a Capital Improvement Program Fund budget amendment to recognize \$150,000 transfer from Special Service District and appropriate \$100,000 to the ICS Imaging Project and \$50,000 to the Air National Guard Project and a Capital Improvement Program Fund budget amendment to recognize loan proceeds in the amount of \$1,852,450 for the County's NetPlan 2000 Project; and a transfer of \$2,350 within the Animal Control budget for salary adjustments. Commissioner Odell seconded the motion and it carried unanimously.

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2. BOARD CONSIDERATION OF REQUEST OF JOHN T. MOORE FOR REFUND OF \$879.94 FOR TAX YEARS 1996, 1997 AND 1998.

Chairman Hair recognized County Attorney Hart.

County Attorney Hart said, this situation which Mr. Moore is requesting Chatham County to refund \$613.48, he's also going to probably put in a request for \$266 from the City. I see Alderman Liakakis back there, and we're recommending that the refund occur. This is kind of an unusual situation. This is a piece of property that had one of these rehabilitation certificates where they're supposed to be exempt. The prior owners to Mr. Moore did not get the certification, certification certificate as required by law, so the Assessor was placed in the position of having to remove the exemption when we did not get the certificate. Inbetween that time the property changed hands, Mr. Moore buys it and the people who owe the taxes escape paying the County taxes. To make a long story short, all three parties had the same escrow agent so that when we sent the notice of the delinquent tax to them, they basically took Mr. Moore's money out of his escrow account and paid the taxes that these other people owed on this property. So Mr. Moore is asking us to give his money back and get the money from the people that owe the taxes, and I think it's a more than reasonable request.

Commissioner Odell said, I'll make a motion to approve alternative one, approve refund for the tax years 1996, 1997 and 1998 in the amount of \$613.48. Chairman Hair said, \$879. Commissioner Odell asked, it's \$879? Chairman Hair said, \$879.94. County Attorney Hart said, \$613.48. Chairman Hair said, it's wrong in my book. Commissioner Murray said, the agenda says \$879. Tax Commissioner Danny Powers said, they've got both amounts included in there. It's the \$613.48. Chairman Hair said, okay, \$613.48 is the correct amount. I have a motion, do I have a second? Commissioner Rivers said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you.

ACTION OF THE BOARD:

Commissioner Odell moved to approve a refund to John T. Moore for tax years 1996, 1997 and 1998 in the amount of \$613.48. Commissioner Rivers seconded the motion and it carried unanimously.

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3. BOYKIN DITCH.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, this is the County Attorney's. You've asked us in discussion at your last meeting for Mr. Hart and his staff to review the propriety of it and determine whether or not it would be feasible. As you know, at the last meeting the staff was quite vocal in opposition to this.

Chairman Hair recognized County Attorney Hart.

County Attorney Hart said, yes sir, this situation is a policy decision. You've got the ability to do it if you choose to do it. You've got a policy that's been consistent over the years of letting the taxpayer supply the pipe and the County supply the labor and maintenance, and we have pretty consistently construed that all along the way. In this particular case, because of the length of the ditch and its connection with the road, you could make a finding that the drainage of the road or Mosquito Control or a number of other items that if you chose to do that as a discretionary function of this Board, you could pay for the thing, but I caution you that, you know, you want to have a consistency in policy. I noted in the Findings of Fact, Paragraph 10, that should the Commission exercise its discretion, there should be a specific finding of fact that would state the departure of the policy is for this particular property, that there would be a finding of public benefit to assist road drainage maintenance and minimization of an open ditch for mosquito bearing.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I'll make the motion that we approve alternative one, and for the full Commissioners, this was discussed at the last meeting, and to simply state alternative one, approve the request of Mr. Boykin to pay for the cost of materials to pipe the ditch in that the County Commission has found that a public purpose would be served in order to assist in the road drainage, ditch maintenance and the minimization of mosquito bearing/breeding property. Chairman Hair said, we have a motion. Do I have a second? Commissioner Odell said, alternate one is -. Chairman Hair asked, do I have a second? Commissioner Odell said, somebody second it. Commissioner Thomas said, second. Chairman Hair said, okay, second.

Chairman Hair said, I can tell you that, if you'll remember, Mr. Boykin appeared before us last time and I'll restate to my fellow Commissioners, I've been out there about -, I've been to his house three times personally, I've walked that ditch, and there is a problem there and I think this is a very fair request and I would encourage you to support it.

Commissioner Jackel said, Mr. Chairman, I'm sure it's a fair request, but I don't want the line going out the door with people with the same fair request. I just think it's a bad precedent. We're already supply, let's see, \$2,517. We're just asking him to pay for the material, which is \$1,625. I think that's been a reasonable practice. I don't see anything particularly special about this. Chairman Hair said, okay, we have a motion and a second. Commissioner Jackel said, when I was going door to door, I saw numerous instances.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I know it was discussed some length at the last meeting, but I'd like to ask the question again. Who and how was the problem created? County Attorney Hart said, well, I know there was some road modifications, I know that was an extended ditch, but I don't know who or how the problem was created. I know that the gentleman complains of water collecting and standing on the property. Chairman Hair said, which it does because I've seen it. County Attorney Hart said, and that's more than Engineering -. Commissioner Murray asked, do we have anybody in this room can answer that question?

County Manager Abolt said, I will defer to Mr. Drewry with an introduction that I was out there also. It does not appear to be that unusual from the standpoint of other situations, I have to tell you that. There is a problem that exists in other parts of the County where because it is an open ditch, there's a continuous sloughing or erosion from adjoining property, and that has created the problem of standing water. We're also well aware of the fact that absent improvements downstream, there'll still be a future of standing water but if the pipe was installed it will not be visible, and then the adjoining property owners will have use of the property because it's level. They will walk over the pipe, they cannot walk over the ditch.

Chairman Hair recognized Commissioner Kicklighter. Go ahead.

Commissioner Kicklighter asked, so basically is it your opinion that this is actually a drainage improvement so it will help eliminate future flooding in the area? County Manager Abolt said, sir, I have to tell you, it is not -, it's an improvement, but I know the Board knows my position on it. It's your decision. When I viewed it I did not see anything peculiar that would cause me to recommend. That's why my previous recommendation was not to do it. You asked for the attorney to look to it. He's given the option of making a policy decision.

Chairman Hair said, Mr. Drewry, you need to answer Commissioner Murray's -.

Mr. Robert Drewry said, I'm not sure I understand the question. Will you repeat that? Commissioner Murray said, well, I want to know how this was created and who created it. Mr. Drewry said, I'm not sure I have the issue on how it was created or who created it. I know when the road was paved back in, I'm going to assume '94, '95, it might have attributed to the problem. That's about the best I can tell you without having any more -. Chairman Hair said, I can -. Commissioner Murray said, the reason I'm asking that question, and I've got to get it clear in my mind before I vote, because I've got several areas that this has come up and we have denied it and we've stuck with the fact that as long as they pay for the materials the County would furnish the labor to put it in, and I'm having a hard time justifying and will have a hard time justifying to those people that we aren't going to pay for yours, but we're going to pay for this, and I see basically the same type things happening.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, we had no rain all last Summer and I've got a wet ditch out behind my house. There's some places where you just get a sloppy area and it's going to stay wet year round no matter what you do, and if we enclose this ditch it doesn't mean the mosquitos are going away, it just means there's still going to be water there and they can still breed there, and it's still going to have the tiger mosquito in your back yard. It's not going to change that at all, and we set a dangerous precedent when we start filling in one and then another person gets a good lawyer and they're going to fill in theirs, and another one gets a good lawyer and they're going to fill in theirs, and it's all going to be on the backs of the majority of the taxpayers. That's not right.

Chairman Hair said, all right, we have a motion and a second. All those in favor of the motion vote yes, opposed vote no. Chairman Hair said, the motion fails.

ACTION OF THE BOARD:

Commissioner Odell moved that the Board approve Alternate #1 of the staff report. Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Odell and Thomas voted in favor of the motion. Commissioners Rayno, Rivers, Jackel, Murray, Gellatly and Kicklighter voted in opposition. The motion was **failed** by a vote of six to three.

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4. REQUEST BOARD APPROVAL OF THE SAVANNAH AND OGEECHEE CANAL CORRIDOR MASTER PLAN PROPOSED FOR DEVELOPMENT OF THE CANAL CORRIDOR AS A MULTI-USE TRAIL. (10 MINUTE PRESENTATION.) [DISTRICTS 6, 7 AND 8.]

Chairman Hair said, we're going to have about a ten-minute presentation on this, as I understand. Before I get into the presentation I would like to make a statement for the record. I think that the Canal project is a good project; however, I think we must protect the rights of the property owners that are going to be affected by this, and I think there are some things that really have to be worked out on this before this proceeds forward. Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, yes sir, with your permission, ladies and gentlemen, I'd like to introduce Mr. Golden. Staff fully understands the import and significance of what the Chairman has just said. We also think it's very important for you to take the time today to better understand it. It has great impact. Again, as the Chairman said, certainly Commissioner Kicklighter and other Board members participating [inaudible] realize the delicate balance between property rights and preserving our history. County Manager Abolt recognized Mr. Golden.

Mr. Jim Golden said, thank you, Mr. Chairman, Dr. Thomas and Commissioners. I'll ask you to please deduct my comments from the ten minutes of the presentation, which would be two minutes. Thank you. Chairman Hair asked, who's going to make the presentation? Mr. Golden said, we have H & H Consulting firm here who will be making the presentation for you. I'd like to say, Commissioners, the S&O Canal is a commitment of this Board two years ago, the request for funds, to do a master plan. The funds was allocated by the DOT in their allocation process during the year 2000. We committed ourselves, we completed the task of developing the master plan, however, Chatham County finds itself in the unique position here in Chatham County to coordinate the comprehensive bike route and other municipal trails. This is a project that ties into the City of Savannah and other municipalities, and I would say that funds allocated is only for the development of the master plan. In that master plan before we can implement any development, we've got to hire a consulting firm to do the design, we have to obtain all the necessary permits, a proper survey has to be conducted, we've got to go back phase by phase and address the property owners and have public hearings, and when that portion is finalized, come back to this Board to implement, in other words, funds to do the development. So this ties into Tom Triplett Park, which already have funds under the same grant to do some development. The master plan is the anchor to that and we have to go back to the State and have it in for the last of this month. So we have Jo Hickson with H & H who'll do the presentation for us on the master plan.

County Manager Abolt said, may I also suggest, Dr. Thomas and gentlemen, that on your executive summary, to make it easy for you, turn to page 12. To 5, excuse me, turn to page 5.

Ms. Jo Hickson said, good morning. Thank you for this opportunity to present the S&O Canal Corridor Master Plan. The firm of Hinesley, Hicks and Association has worked on this project for the past six months. We'd also like to recognize and thank the Metropolitan Planning Commission, the City of Savannah, staff from Chatham County, as well as the S&O Canal Society, who all participated in the planning process, as well as public, who attended meetings and made information available to our team during the research portion of the project. The S&O Canal Corridor is significant in four areas. First, it's integrity as a historic transportation corridor. Secondly, as habitat for native plants and animals. Thirdly, it is publicly owned by the City of Savannah of approximately 260 acres, so this is definitely an asset to the community. And, fourthly, the relationship of the canal corridor to existing and proposed trails, parks, natural areas, coastal and historic sights. So all of these four areas are addressed by the master plan. The recommendation of the master plan is for permanent protection of the canal corridor as well as its development for recreational uses. I'll now describe these recreational uses. Can you hear me through the mike? Okay. Beginning at the Ogeechee River end, the Savannah-Ogeechee Canal consists of Lock 5 and Lock 6, which is the terminal lock at the Ogeechee River. As well, it is adjacent to the Savannah-Ogeechee Canal Society's property that is a significant natural area. There's a museum there as well as existing trails. That property is adjacent to a Georgia DOT mitigation site that also has significant wetland area and upland or [inaudible] communities, so this is a significant natural community that's bounded by the S&O Canal here. What is proposed by the master plan is continuing the interpretation of this area for its history of the canal corridor, and this will be enhanced by the unpaved trails that are shown in the brown color. As well, we will stabilize Locks 5 and 6, and we propose to construct a pole boat that can carry up to six passengers and can operate during periods of high tide. This is the least environmentally sensitive recommendation that can occur within this section and still have an opportunity for interpretation of the canal's historic character. From this point this site will also be utilized as a trail head center, meaning that public facilities are there and currently available, and we will enhance those with bicycle racks and other site facilities that would accommodate access or what is proposed for the remainder of the canal, which is its use as a trail. The trail would begin at Quacco Road and would tie in from other planned trails that are represented in Chatham County bikeway plan. From that point we can utilize the canal's corridor for development of a paved trail, and its access then would end at State Route 204, and again it would connect to planned trails support Argyle Corridor. So the Bush Road segment of the canal is planned as a paved bicycle trail. It will have access as well from L. Scott Stell Park, which can also be developed as a trail head facility. This will utilize existing parking, recreational facilities, picnic facilities so that people who come to the park could have access to the proposed trails. As well from that point, the trail corridor would cross Quacco Road and proceed to Canal Bank Road. I'm going the wrong direction on here. Okay. And proceed to Quacco Road. It will be crossing what is a very significant natural area here between Canal Bank Road and Little Neck Road. The Half Moon Lake area, which is the Little Ogeechee River area here, is a significant natural area and we would propose boardwalks to cross the wetland areas here for a continuous route to Quacco Road. Then from Quacco Road just an unpaved trail out to the Culvert Swamp where there would be an observation deck. So the trail corridor access would be from Quacco Road down to the trail head at the Ogeechee River. This section of the canal contains Tom Triplett Community Park and it will operate as well as a major trail head for the canal corridor.

Chairman Hair said, excuse me just a second. Commissioner Kicklighter has a question. Ms. Hickson said, yes.

Commissioner Kicklighter said, yes 'mam, along Bush River Road -, Bush Road, the part -, you look in section, I guess it's page six of section two here, it states that under the controversy potential here one portion states that "[e]xisting driveways encroaching within the canal corridor shall be 'Grandfathered' as an existing use until the property changes hands, at that time the new owner shall utilize an access easement from the property to the nearest bridge, for access" That one statement alone -, first, I want to commend you on a job well done. This will be a nice project. Everything that you have going on with Triplett Park and the whole area, but this part right there that I just read is the largest injustice to property owners that I've ever really witnessed. What this will do, basically, this one little paragraph what it will do to these people is it will allow them to use their property right now, but basically puts their property value at zero should they ever need to sell their property because there's no guarantee that my next-door neighbor is going to sell me an easement across the property to get to my property if I chose to sell or the person if I was a buyer there's no guarantee that the neighbor will sell that, and this plan, like I said, it's a great plan. Most of it will take place in my district, but I do not see how we can move forward whatsoever with this injustice being done to the people on Bush Road. I would encourage you to finish your presentation, but I will make a motion that we table this item until further notice to give them time to come up with a solution to the problem along Bush Road because that is a major problem. So I'll make a motion that we table this item.

Chairman Hair said, we have a motion to table. Do we have a second? Commissioner Odell said, second. Chairman Hair asked, any further -, it's not debatable. All those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Jackel voted in opposition. The motion to table carried by a vote of six to one. [NOTE: Commissioners Rayno and Murray were not present.] Chairman Hair said, the motion passes.

Ms. Hickson asked, can I respond? Chairman Hair said, certainly. Ms. Hickson said, that is a recommendation of the master plan. It is not part of what you would be approving. The recommendation is that the MPC would continue to consider this, and that is a recommendation for their consideration and that they work with the property owners to come up with a canal crossing policy. It was my understanding that the master plan is to set guidelines for the future, so this is a recommendation for the consideration of the MPC and that community, not that it is the solution, but it was a recom-

mentation for their consideration, and I did not feel that it would –, by your approval of the master plan that it would give your seal of approval of that recommendation. It's a guideline for consideration.

Commissioner Kicklighter said, okay, and I understand that, and a master plan is great, fine and dandy. Unless your life's work of investment has been placed into a home or property over there, then it's not just a master plan to these hardworking people that's put their livelihood and invested their life's worth of work there. It's not a master plan, it's their life, their livelihood, and we need to take into consideration other people's hard work through the years before we jump through and tell these people that's worked their whole life that it's just a plan. No 'mam, our plan needs to be sound and protect the people before we present a master plan or approve a master plan. So please my suggestion is work on this area and then bring this back to us for a vote once you figure out the problem.

Chairman Hair said, well, we have tabled the motion so I do not believe –, if we're going to discuss it, Mr. Lee or anybody else wants to discuss it, we've tabled it, we're not going to take any action on it. We're going to have to take it off the table if we want to have discussion on it. We've already tabled, which means no action period, and I would suggest to my fellow Commissioners probably the best way to do since we've already tabled it, is we would be –, I think it would be useless for us to discuss it today because we've got to go back now and modify it and bring it back, and that would be the time for discussion. Since we've already tabled it, we would have to take it off the table to have any further discussion on it. So I think we just need to leave it tabled and at the time that any changes are made and it's brought back to us, if it's brought back to us, then at that time we would have full debate and anybody can have as long to speak as they'd like to, but we already have tabled the motion so, therefore, it would be inappropriate to discuss it. Thank you.

Mr. Herman Lee said, excuse me. Chairman Hair recognized Mr. Lee. Mr. Lee said, I only wanted one thing, Mr. Hair. I'm Herman Lee and the only thing we would ask again is we, the property owners that Mr. Kicklighter is speaking of and also the folks on Quacco Road, we have not yet seen this master plan. There has not been a meeting to really establish –, explain to us what this master plan consists of and how much property they're actually claiming there. We would like to have another meeting with Ms. Hickson and the other people involved here before y'all make a decision.

Chairman Hair said, I think that would be very appropriate. Mr. Lee said, and also all the property owners be apprised of when this meeting's going to occur. Chairman Hair said, absolutely. I think that's a great suggestion. Mr. Lee said, that's my only thing. Chairman Hair said, thank you. Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter asked, may I [inaudible] speak? Chairman Hair said, sure. Commissioner Kicklighter said, Mr. Lee, here's a copy of the master plan. Commissioner Thomas said, that includes District 8 too because we really have 6, 7 and 8.

Chairman Hair said, yes, everyone. Okay.

Ms. Hickson asked, should I try to complete the presentation? Chairman Hair said, well, I don't think there's any value in doing that. We've already tabled it and we aren't going to take any action on it. I think it would be a waste of time and I think we'd have to come back and make modifications in the future.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to table until further notice the request for Board approval of the Savannah and Ogeechee Canal Corridor Master Plan proposed for development of the canal corridor as a multi-use trial to give the consulting firm time to come up with a solution to the problem along Bush Road regarding property owner's access to their property. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Rivers, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Jackel voted in opposition. The motion to table carried by a vote of six to one. [NOTE: Commissioners Rayno and Murray were not present.]

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5. STAFF BRIEFING ON ROAD AND DRAINAGE PROJECTS, IF THE COMMISSION CHOOSES.

Chairman Hair asked, how long do you want for that? County Manager Abolt said, sir, it's purely your discretion. We feel it's very important to the new Commission. We can do the presentation very briefly. Mr. Bungard's at your pleasure. Chairman Hair said, sure. Let's go, let's do it. County Manager Abolt said, and please if you would, Dr. Thomas and gentlemen, refer to your written staff reports, which of course you receive each month. They might be a Reader's Digest version of Al's [Bungard] presentation. Chairman Hair recognized County Engineer Bungard.

County Engineer Bungard said, well, we attempted to put it on the television this morning. We became IT challenged, Information Technology challenged. We're going to try to get it booted up here, but I'll start in the meantime and hope it'll work. Well, on the road program we have nine projects that are currently under construction. That's all pretty good news. I will go through them briefly. Hopefully in the same order that I remembered them as being on here.

The **Jimmy DeLoach Parkway Interchange at State Route 21** is 50% complete. I'll qualified the on-schedule as pretty much the vendor who was to provide what we called a reinforced wall for the bridge has gone out of business and we're having to make some changes. We'll instruct with GDOT, R. B. Baker to continue. I got word yesterday that one of the side roads that'll be called the Flonnel Connector was open to traffic, but that project is going very well. Then moving westward, we have the **Pooler Parkway**, we have two contractors working on Phase Two. One is -, they're both about 70% -, well, one is 77% complete. Is it on schedule to be finished some time around June, and the other right behind it, the part that ties into Highway 80 -. Okay, we're going to get it there. It's a little distorted. Pete [Nichols], can you turn the screen? This will help. This was a picture of -, Pete [Nichols] and I took of the -, I'll back up to the State Route 21 interchange. If you go out there right now you'll see on the left -, lower left was the groundbreaking. That's where the Flonnel Connector is. That is now open down in here. They're working on the retaining wall up here, and that's Jimmy DeLoach Parkway headed west. Please feel -, interrupt any time. Moving right along. Now the **Jimmy DeLoach Parkway, Phase Two**, the draft environmental assessment is the Federal Highway Administration. Even though the draft EA was signed by Mr. Dreihaupt in '97, the Fish and Wildlife Service is going back and asking us a lot of questions, asking us to revisit in what we call an ecology report the impact arising from the eagle, the wood stork and some other issues, and we're trying to work our way through that. Right now GDOT has that scheduled late in fiscal year 2003. Barring the environmental problems, we've had the public hearing, we think we'll have that ready for construction earlier. Next. Here's where I was. To catch up, **Pooler Parkway, Phase Two**, this part down here on the south started earlier. That will be done in June and this part will be done in December unless we have [inaudible]. This is a picture of the tie-in at Interstate 16 at Quacco Road, and this is where it will tie into U. S. 80 up in Pooler. Now the **Highway 17 Widening**, we have several projects. This is the part, as you all know, that was completed several years ago. The part that was awarded just recently in January from **State Route 204 up to Dean Forest** was awarded to ARCO. It's a two-year construction period. The pre-construction conference was held yesterday, and there's a new requirement from the DNR about soil erosion control. Once we get that paperwork done we hope to see a notice to proceed on that in late February. Then on the part that's from **Bryan County line up to State Route 204**, we're about half way through the right-of-way acquisition process. That is going very well, and we're looking for a start later this year. The interchange at **State Route 204 and Veterans Parkway** is going quite well. This is the schematic you've seen before. Those ramps are nearing completion. I was informed yesterday that they hope to have that open to traffic -, they're ahead of schedule, overall project is 34% complete, and they'll switch traffic like in two months. So, we'll see, but that's working very well. They're working on the bridge out here over the swamp and they're way ahead of schedule on the environmental mitigation project, which is out here in this area. I've been pleasantly surprised by the minimization of disruption on the traffic out there with this project. This is by Scott Bridge Company. Next. Now the **Widening of Montgomery Cross Roads/Middleground Road**, we finished about a month and a half ago relocating the power line on Hunter Army Airfield. The contract has been awarded. This is a shot at the corner of Abercorn and Hunter Army Airfield looking southward. Contract has been awarded to Carroll & Carroll. Pre-construction conference has been held to relocate Perimeter Road over on Hunter Army Airfield towards the golf course so that we didn't have to impact several dozen properties, save several million dollars in right-of-way acquisition costs and we'll see that underway here very shortly, actual construction, and now the right-of-way plans, we should have those for the remainder of -, by next month I'm told now. The parcel count's grown, we're up to about 122 parcels. That will take a good two years to acquire that right-of-way. **Truman Parkway**, the contract was awarded to R. B. Baker in December. He's also -, GDOT's waiting for a notice of intent from the DNR to get underway. This is a picture of the start of **Truman Parkway, Phase Three**. The dirt piled there, as you all know, is removed. The bike path channel's been completed. Just south of that the landfill has been removed which was across from the Bacon Park Golf Course. The two golf course holes are moved. We're reevaluating the impact on the driving range. I met with Joe Shearouse last week. Once we've staked it out, it's a little more intrusive than we thought. Then down here combined some pictures you've seen before of where **Phase Four** will go from right about in here, Montgomery Cross Road, through the Forest City Gun Club. I've put the picture of the eagle right about where it was, and it's flown away, and then here's where **Phase Five** continues to cross the Vernon River, and should have -, the preliminary plans for Phase Four were delivered to GDOT this week, and they're being reviewed now, and hopefully we'll have right-of-way plans on that. The one impact you'll see in the road report about Phase Four, just as happened at the -, where Phase Three ties into Skidaway, because of the -, at Eisenhower, because of the proximity for traffic safety reasons, GDOT -, we had to increase the scope onto Skidaway Island adding 30-some parcels. That project has been broken out as a separate contract so we can get the main line going. The same thing's happening at Phase Four where it ties into Whitfield Avenue. We have three projects that come together there that made it somewhat complicated. We had the Phase Four terminus, we have the Whitfield Avenue Widening, and we have the Kings Way Canal Project. So we've had to add about 15 to 20 parcels to make that intersection work until such time as Phase Five comes along. So at this point I don't see how we're going to make the groundbreaking we were looking forward to next December, but GDOT has promised me that they will give their top priority to reviewing the plans because typically that's where we have some delays on the time they schedule their preconstruct -, their plan reviews and all that, and I've already talked to the right-of-way consultant about how to expedite the right-of-way. The big issue is going to be, I think, the right-of-way through the Forest City Gun Club. Next. I've talked briefly about **Whitfield Avenue and Diamond Causeway**. Both of the environmental assessments are back at the GDOT and Federal Highway. Yesterday I received the -.

Commissioner Murray said, Al [Bungard]. County Engineer Bungard said, yes sir. Commissioner Murray said, excuse me just a minute. That one you were talking about the right-of-way through the Gun Club, that has not been settled? County Engineer Bungard said, no sir. We cannot formally start right-of-way acquisition procedures until we have approved right-of-way plans. What the County Attorney and I received was a letter from the Forest City Gun Club with their desired route, construction through their property, but that has not been settled.

County Engineer Bungard said, here we have –, these pictures, this is the Diamond Causeway, here's the fishing pier, the confederate works, this is where GDOT made us go back and then the Federal Highway prepare what's called the practical alternative review, wetlands minimization, weighing the cost against wetlands against historic impacts. I received a copy of that yesterday. It's on my desk for review, and once all that gets settled, it will go back to Federal Highway. They still have a lot of questions, and right now we're trying to set up a meeting with the Federal Highway Administrator here on February 14th, I think it's going to be, for an on-site review of that project.

County Manager Abolt asked, Al [Bungard], would you mention what we learned yesterday, the height of the bridge? County Engineer Bungard said, yes, there was some question about "a high-span bridge into Skidaway Island." The bascule bridge will be replaced by a 65-foot high, that's the coast curb of 19.8 meters, over that river. Whether that's high is –, we've qualified now. It will look the height. The one over Thunderbolt is 65 feet high over mean high water. Chairman Hair said, same height. County Engineer Bungard said, yes. So what we'll do is build a two-lane thick span on one side, 65 feet high, take down the bascule bridge, and then build a parallel two-span next to it. Next. The **Skidaway Widening Project**, that's the other reason for the Federal Highway coming down. They will –, the EA is at Federal Highway for its sixth review, still lots of projections about traffic projections and the justification of the need. **Widening of U. S. 80 from Bryan Woods**, this project is about seven –, let's see. It was very good news. It's well ahead of schedule. The percentage doesn't really matter right now. Several months ahead of schedule. The day –, I heard that bridge was going to be open to traffic very shortly also. I'm not holding my breath, but that would be very good news.

Commissioner Murray asked, are they raising that bridge? County Engineer Bungard asked, sir? Commissioner Murray asked, is the –, is that bridge being raised because the side that's under construction right now that they've paved seems to be higher than the side that we're driving across. County Engineer Bungard said, I honestly don't know. I'm pretty sure it's going to be redecked. Commissioner Murray said, and there's supposed to be a bikeway down the side of this road. County Engineer Bungard said, yes, yes. Commissioner Murray said, okay. County Manager Abolt said, it appears to be the same technique they used on Johnny Mercer when they built the bridge over –.

County Engineer Bungard said, right. That's going very well. Now the other project from Bull River out to Lazaretto Creek, GDOT is still working on that with the Department of Interior, with the conflicts between which side to put the additional lanes on, what the different elevations ought to be, impacts on Fort Pulaski versus on the marsh on the other side, and they keep going back and forth on that. The Chief of Urban Design is coming to brief me next –, in February, mid-February also, and hopefully I'll know more about that by then. Next. These are –, the next SPLOST has four construction projects in one study. We've awarded the design contracts for the **Widening of Eisenhower** and the ones along Abercorn and, of course, as y'all know, the MPC is still looking at the **East/West Corridor Study** by HNTB. This is a chance here. Even though we don't have the local government project agreements, we're proceeding. These are not funded by GDOT, but we're proceeding with the design, getting all the environmental permitting done so that we'll get hopefully a little bit, not ahead of the power curb, but move it along faster. Next. And then MPC is right now updating the 2025 Plan and these are some of the major projects that I believe are important and still are a part of the plan that will be looked at. I discussed some of these with the Chairman, the State Transportation Board, Mr. Triplett. This includes extending Quacco Road, four-laning it down to –, my little power point thing got off, but that project right there does include an interchange there at I-95, widening State Route 307, which we were already working on, as you may recall, because of the Hardin Canal, we needed to do it together. The long range plan also had that extending across the marsh over the Southwest Bypass. It calls for I-16 to be widened, widening a little bit more on State Route 21, and what I refer to would be State Route 204 Corridor because that [inaudible]. We'll be looking at that in the next year or so. Next. Okay, we're going to use the same base map for the County drainage brief.

Commissioner Murray said, before you start on the drainage –. County Engineer Bungard said, yes sir. Commissioner Murray asked, what's the completion date and what's the holdup on President Street? County Engineer Bungard said, **President Street**, as you may recall, the big problem was the bust in the surveys and that was all rectified enough to at least get the paving part going. Then GDOT came back and there's a new type of asphalt out there, it's called Superpave, and they determined that based on the loads and the traffic volume we needed to change the kind of asphalt that's being used on the project. That was approved, but to get that done in the cold weather, we couldn't go out there and stop and start, and so that's why that was delayed. In the meantime, part of the problem that was not fixed with the design, you may notice there's steep slopes, you know, between the curbs, and it was –, I didn't want to delay the overall project while we worked that out, so on your agenda for approval what I'm trying to prevent is the same kind of addition we have up on Johnny Mercer by U. S. 80 where you have oak trees in a deep vee. So now that we have the curbs in place, I'm asking for a change order to go ahead and raise the drop inlets that are in there, the water valves, bring it up level so that we can landscape it later on. Once approved, Carroll & Carroll are ready to go back to work next week. Does that answer your question? Commissioner Murray said, yes, it just seems like there's a safety factor on that road right now until we get some other pavement on it. County Engineer Bungard said, oh, we've been checking that. What's missing is just the final course. There will have to be some milling down on the McIntosh Boulevard end by the railroad tracks. Commissioner Murray said, well, you've got it on one side and then you don't have it on the other so you're up and down again still. County Engineer Bungard said, but the general grades are pretty much the way they're going to be, and where it doesn't slope at the outside, you have water running north and south. Commissioner Murray said, well, I'm talking about the safety factor with the shape of the road now, not what it's going to look like when it's paved. That's why I think we need to speed it up as much as we can so we can get it completed. County Engineer Bungard said, okay. Commissioner Murray said, the paving part. County Engineer Bungard said, I don't quite understand your concern, but yes sir. Commissioner Murray said, my concern

is somebody having a wreck. County Manager Abolt said, traffic changing lanes in the left. County Engineer Bungard said, oh, you mean that little lip between the asphalt and the gutter. Commissioner Murray said, bingo. County Engineer Bungard said, the gutter. I thought he was suggesting there was some problem with sloping altogether.

County Engineer Bungard said, okay, drainage projects. These are all the projects we're working on right now, 19 of them. We can skip through this. We follow pretty much the same project development process with pre-engineering, design, surveying, public meetings, right-of-way acquisition, and permitting as we do for the roads. We're still finding that the permitting process is just as difficult, if not more so, than the road projects. The challenge we're facing on the drainage is that we have diametrically opposed agenda with the Corps of Engineers and Fish and Wildlife Service. We're trying to get water out faster and they want to keep water in there. They're concerned about us draining many, many, many square miles of wetlands. Next. I'm going to highlight only a few projects here. You'll notice two smaller ones are complete. We have three under construction, and right now we'll talk about the Fawcett, Phillips, Pipemakers, Phase One, Placentia, Phase Two, Westlake and the Wilmington Island. **Phillips Avenue:** Recently I told you we finished the negotiations with Georgia Pacific. They agreed, they decided we did not have to pursue condemnation. They agreed. We have a signed agreement. It's in the process of being recorded. Barring that, we're ready to go and that will go out to bid very shortly. Now what that project does by the way, for Port Wentworth is it reduces the flooding in the Osteen Road area by picking up a lot of the drainage in the Crossgate Road and runs it through an outfall north to the Georgia Ports rather than in a southerly direction as it does now at Port Wentworth. **Pipemakers, Phase One,** 17 parcels, we have all but three acquired, and that is Georgia Ports, one commercial property and one private. We probably will not have to –, there's one potential condemnation, we think, with the commercial property. We're working with the Georgia Ports right now. The agreement there will read that they have agreed to design the bridge replacement, we will design the tidegate and we will construct that later. We hope to have that ready to bid here very shortly also.

Commissioner Kicklighter said, let me ask on that, if I could. County Engineer Bungard said, sure. Commissioner Kicklighter asked, are you currently negotiating the additional 14 acres for the flood pump site in the future? County Engineer Bungard said, GPA will donate the acreage required for the possibility of a pump station. That's part of the deal. They're going to give us –, donate about five or six acres within the right-of-way should that project ever get funded and so forth. That's a –, that'll be a donation.

County Engineer Bungard said, okay, **Westlake/Springfield Canal:** That contract's been awarded. This is a two-part project. You may recall, we have some difficulty –, it was a difficult project draining this area through the CSX Railroad yard and under their tracks. So we're doing it in two phases, this project goes from the crossing under Perimeter Road, Hunter Army Airfield, down through Hunter, out to the Forest River. That work will start very shortly, like next month before it's actually been awarded, and that will be about a six month project. That includes a bridge replacement down there by the Air National Guard facility on Hunter. **Placentia Canal:** It's on the agenda today for award, and all of the parcels are acquired. We have condemnations pending on two. The only agreement is that when we start work we will not go on those properties. We've had the hearing with the judge. We're just waiting for his ruling. **Fawcett Canal, Phase One:** Awarded. Works been underway for about a month. They're digging –, they've pretty much dug the lagoon on the south end, and this project will be finished also in about six months, but this goes all the way from the lagoon here at Bristlecone, all the way out through the retention lagoon here out to a crossing under the Grove River. **Wilmington Island Park:** Wrapping up the Manchester/Clarendon storm water pipe improvements, about 400 feet of that, that will drain into the golf course, and for the Phase One of the **Wilmington Park Canal Project,** the biggest obstruction is a crossing under Wilmington Island Road. The right-of-way acquisition is four parcels nearly complete. In fact, negotiations are complete. We're just waiting for the closings and then we'll have that ready and under construction in about a month or two.

Commissioner Murray asked, is that going through where the Wilmington Island Homeowners Association's dock and all is, where that little canal that goes through there? Is that the property that you're talking about? County Attorney Hart said, when it crosses over Wilmington Island Road going towards –. Commissioner Murray said, yes, where it goes –. County Attorney Hart said, yes, I think it runs down one side. That's where you take that little jog remember. Commissioner Murray asked, isn't that where this project is going? County Engineer Bungard asked, this one right here? Commissioner Murray said, it goes under Wilmington Island Road and –. County Engineer Bungard said, yes. County Attorney Hart said, yes. Commissioner Murray said, and to the Wilmington River, right. County Engineer Bungard said, that's right. That's Wilmington Island Road and there's the Wilmington River. Commissioner Murray said, and that's right within a hundred feet or so of where the dock is, right? The Homeowner Association's dock? County Engineer Bungard said, I don't know –. County Attorney Hart said, I don't know where the outfall is but it's tangential to that. Pretty close. Commissioner Murray said, I'm pretty sure it is. Okay.

County Engineer Bungard said and then we've also had a meeting two months ago, a very good meeting, a public information meeting with all the residents, you know, along the canal there, and we're looking at a way to tweak it. There's a force main that goes down the north-hand side that kind of restricts our ability. You know, based on their input, we'll be looking at what we can do to tweak that project. Next. I think that's it.

Chairman Hair said, all right, thank you, Al [Bungard]. County Engineer Bungard said, certainly. Chairman Hair said, we appreciate that very much. Thanks.

ACTION OF THE BOARD:

Staff briefing on roads and drainage was received as information. No action was required.

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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 said, that takes us to the Action Calendar. Does anybody want to pull anything off? Commissioner Jackel? Commissioner Jackel said, a few items. Let's do Item 11, D, E, J and K. Chairman Hair said, I thought you said a few. Commissioner Kicklighter said, I. Chairman Hair said, just one second, let me get I. Who wants to do a few more? Commissioner Rayno said, and also 12. Chairman Hair said, okay. Commissioner Murray said, 7. Commissioner Thomas said, 6 and 12 for me. Chairman Hair said, why don't we just do them one by one. Which one, Dr. Thomas? Commissioner Thomas said, 6 and 12. Chairman Hair said, 6 and 12. Anything else?

Commissioner Murray said, I move we approve the balance. Chairman Hair asked, second? Do I have a second? Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved to approve Action Calendar Items 1 through 14-H, except Items 6, 7, 11, 12, 14-D, 14-E, 14-I, 14-J and 14-K. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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

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1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON JANUARY 12, 2001, AS MAILED.

ACTION OF THE BOARD:

Commissioner Murray moved to approve the minutes of the regular meeting of January 12, 2001, as mailed. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JANUARY 5 THROUGH JANUARY 17, 2001.

ACTION OF THE BOARD:

Commissioner Murray moved that the Finance Director be authorized to pay the claims against the Chatham County in the amount of \$4,253,945 for the period January 5, 2001, through January 17, 2001. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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**3. REQUEST FROM HALLMARK DEVELOPMENT, INC., THROUGH THEIR AGENT, EMC ENGINEERING, TO RECORD THE FINAL SUBDIVISION PLAT FOR HERON CREST VILLAS, PHASE 1A.
[DISTRICT 6.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve the request from Hallmark Development, Inc., through their agent, EMC Engineering, to record the final subdivision plat for Heron Crest Villas, Phase 1A. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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- 4. **REQUEST FROM ENGINEER REPRESENTING THE DEVELOPER, TURNER’S COVE DEVELOPMENT, L.L.C., TO RECORD THE SUBDIVISION PLAT FOR TURNER’S COVE, PHASE 3.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve the request from engineer representing the developer, Turner’s Cove Development, L.L.C., to record the subdivision plat for Turner’s Cove, Phase 3. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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- 5. **REQUEST BOARD APPROVE AN AGREEMENT WITH THE CITY OF BLOOMINGDALE IN THE AMOUNT OF \$30,595 TO LOWER A 10-INCH SEWER FORCE MAIN FOR POOLER PARKWAY, PHASE II.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve an agreement with the City of Bloomingdale in the amount of \$30,595 to lower a 10-inch sewer force main for Pooler Parkway, Phase II. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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- 6. **REQUEST BOARD APPROVAL OF A LETTER OF INTENT TO RELEASE COUNTY INTERESTS IN A DRAINAGE EASEMENT ON COLONIAL OIL PROPERTY ON NORTH LATHROP AVENUE.
[DISTRICT 8.]**

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, I just wanted an explanation of this. Just kindly give me a little briefing on it. County Attorney Hart said, yes mam. There’s a drainage easement of record down there at the Courthouse. Colonial Oil –, there’s no record that Chatham County has any interest in that drainage easement, and they’ve asked us when they get their Corps permits and approval would we quitclaim any interest that we have in regard to that drainage. Since we don’t maintain it and have no interest in it, we told them yes, but they haven’t got the approval yet to get it, and one of the requirements they have to get their approval is they need a letter of intent saying we’re going to do what we told them we were going do. Commissioner Thomas said, okay.

Chairman Hair said, is there a motion to approve? Commissioner Thomas said, I move for approval. Chairman Hair asked, second? Commissioner Kicklighter said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Thomas moved to approve a Letter of Intent to release County interests in a drainage easement on Colonial Oil property on North Lathrop Avenue. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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- 7. **REQUEST BOARD ADOPT A RESOLUTION AUTHORIZING THE EXERCISE OF EMINENT DOMAIN FOR A PROJECT TO CONSTRUCT ROADWAY IMPROVEMENTS AND A TRAFFIC SIGNAL AT AND NEAR THE INTERSECTION OF DEBBIE STREET AND WHITEMARSH ISLAND DRIVE ON U.S. 80 AS PART OF THE CHATHAM COUNTY 1985-**

**1993 SPECIAL PURPOSE LOCAL OPTION SALES TAX ROAD IMPROVEMENT PROGRAM.
[DISTRICT 4.]**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, the only reason I pulled that is there's some residents that were concerned about a cul-de-sac being recommended to go in. That is not happening based on this. Is that correct? It's the road's going to be straightened out and go straight in and come back out with no cul-de-sac? County Engineer Bungard said, we have not changed our plans from what you and I talked about. Commissioner Murray said, okay. So moved. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved to adopt a resolution authorizing the exercise of eminent domain for a project to construct roadway improvements and a traffic signal at and near the intersection of Debbie Street and Whitemarsh Island Drive on U.S. 80 as part of the Chatham County 1985-1993 Special Purpose Local Option Sales Tax Road Improvement Program.

Commissioners Odell and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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**8. REQUEST FROM MR. STEVE SWANBERG FOR THE COUNTY TO DECLARE AN UNOPENED RIGHT-OF-WAY ON WHITEMARSH ISLAND NEAR THE JOHNNY MERCER BOULEVARD BRIDGE OVER TURNER'S CREEK AS SURPLUS AND TO QUITCLAIM THE PROPERTY.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve the request from Steve Swanberg for the County to declare an unopened right-of-way on Whitemarsh Island near the Johnny Mercer Boulevard Bridge over Turner's Creek as surplus and to quitclaim the property. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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9. REQUEST BOARD APPROVAL OF THE U.S. BANK ACQUISITION OF RELIANCE TRUST COMPANY CORPORATE TRUST BUSINESS AND AUTHORIZE THE CHAIRMAN TO SIGN AGREEMENTS WITH U.S. BANK.

ACTION OF THE BOARD:

Commissioner Murray moved to approve the U. S. Bank acquisition of Reliance Trust Company Corporate Trust business and authorize the Chairman to sign agreements with the U. S. Bank. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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**10. REQUEST BOARD APPROVAL OF AN INTER-GOVERNMENTAL AGREEMENT WITH THE CITY OF SAVANNAH FOR INTER-CONNECTION OF WATER SERVICES.
[DISTRICTS 2, 6 AND 7.]**

ACTION OF THE BOARD:

Commissioner Murray moved to approve an intergovernmental agreement with the City of Savannah for inter-connection of water services. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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**11. REQUEST BOARD APPROVAL OF AN INTERDEPARTMENTAL PERMIT BETWEEN THE GEORGIA HISTORICAL SOCIETY AND THE SAVANNAH-CHATHAM PUBLIC SCHOOL SYSTEM THAT WILL WAIVE THE FEES ASSOCIATED WITH THE USAGE OF THE PORTABLE BAND SHELL STAGE.
[DISTRICT 2.]**

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, I thought we had agreed that we would not waive the fee, that we would charge just enough to cover our cost. County Manager Abolt said, you allowed us when you have a government entity that's making the request to enter into an intergovernmental agreement. It's kind of you try it once, if they fail to meet their requirements in the agreement, then the next time we charge them.

Chairman Hair said, I don't see why we can't cooperate with our fellow governments. I think this is --, I mean, you're talking peanuts here.

Commissioner Jackel said, well, I understand that but I just thought that was our policy also with the Tybee Pier --. Chairman Hair said, well, he just explained it. Commissioner Jackel said, and everything else that we charge the basic cost. County Manager Abolt said, no sir, you have a very specific policy as it applies to other governments. Commissioner Jackel said, all right.

Commissioner Rayno asked, are we held for liability problems if a school child falls on that stage or is it the School Board? Commissioner Jackel said, that's exactly right. County Attorney Hart said, neither would.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Thomas said, move for approval. Commissioner Kicklighter said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Thomas moved to approve an interdepartmental permit between the Georgia Historical Society and the Savannah-Chatham Public School System that will waive the fees associated with the usage of the portable band shell stage. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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**12. REQUEST BOARD APPROVAL OF THREE MEMORANDUM OF UNDERSTANDING AGREEMENTS BETWEEN GDOT AND CHATHAM COUNTY ASSOCIATED WITH THE DESIGN AND CONSTRUCTION OF TRANSPORTATION ENHANCEMENT PROJECT NO. 0-1-051-02-07, SAVANNAH-OGEECHEE CANAL CORRIDOR, PHASES I AND II.
[DISTRICTS 6, 7 AND 8.]**

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, I just wanted to get a little more information on this. Can they explain it to me a little bit.

County Manager Abolt said, this as Mr. Golden mentioned in his introductory remarks recognizes that we have been selected to receive the necessary funds for the engineering and more specific planning on the canal. This is an opportunity for us. It is not out of sync with your desire to revise the initial take from the consultants. It just locks in the money for your use as you see appropriate.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Rayno asked, can I ask one --? Chairman Hair said, certainly.

Commissioner Rayno asked, is this one of the ones that I talked to --. Commissioner Thomas said, just a moment. Can I hear from Mr. Golden. Chairman Hair said, certainly. Chairman Hair recognized Mr. Golden.

Mr. Jim Golden said, this is the allocation approved by the State for year 2002 and 2003 associated with that same project. Future design.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I just want to consult Mr. Hart. May I excuse myself from this vote based on what we talked about? County Attorney Hart said, sure. Yes. Commissioner Rayno said, I'd like to excuse myself from this vote because I've had business dealing with the Savannah and Ogeechee Canal Society.

Chairman Hair said, I'll entertain a motion to recuse Commissioner Rayno. Commissioner Murray said, so moved. Commissioner Thomas said, second. Chairman Hair said, motion and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Now I need a motion to approve. Commissioner Murray said, so moved. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rayno was recused from voting.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

1. Commissioner Murray moved to recuse Commissioner Rayno from voting on this item due to a business conflict. Commissioner Thomas seconded the motion and it carried unanimously.
2. Commissioner Murray moved to approval of three Memorandum of Understanding Agreements between GDOT and Chatham County associated with the design and construction of Transportation Enhancement Project No. 0-1-051-02-07, Savannah-Ogeechee Canal Corridor, Phases I and II. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rayno was recused from voting.]

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13. REQUEST BOARD APPROVE DISTRIBUTION OF PROCEEDS FROM SALE OF 5 EXECUTIVE CIRCLE. [DISTRICT 6.]

ACTION OF THE BOARD:

Commissioner Murray moved to approve distribution of proceeds from the sale of 5 Executive Circle. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. Final renewal to annual contract to provide the operation of the Weightlifting Center	Weightlifting Center	Team Savannah	\$45 per hour	General Fund/M & O - Weightlifting Center
B. Final renewal to annual contract to provide landfill attendant services at Sharon Park Recycle/Drop-Off center	Solid Waste Management	Mrs. Retha Scruggs	\$18,000	Solid Waste Management
C. Final renewal to annual contract to provide landfill attendant services at Chevis Road Recycle/Drop-Off Center	Solid Waste Management	Mr. Jack Douglas	\$14,400	Solid Waste Management
D. Confirmation of issuance Change Order No. 1 to the contract to periodically sample the groundwater monitoring wells located at various landfills for additional methane compliance testing, test well drilling and probe installation at the Wilmington Island Landfill	Solid Waste Management	Advanced Environmental Management, Inc.	\$22,314	Solid Waste Management

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
E. Contract for the construction of Phase II Improvements to the Placentia Canal	SPLOST	ARCO, Inc.	\$2,267,683	SPLOST (1998-2003) - Drainage - Placentia Canal
F. Deductive Change Order No. 2 to the contract for the reconstruction and paving of President Street for changes in quantities	SPLOST	Carroll and Carroll	(\$18,427.75)	No funding required
G. Change Order No. 6 to the engineering contract for Placentia Canal for additional services	SPLOST	Hussey, Gay, Bell and DeYoung	\$57,860	SPLOST (1998-2003) - Placentia Canal Drainage Project
H. Change Order No. 6 to the engineering contract for Westlake/South Springfield Improvements for additional services	SPLOST	EMC Engineering	\$35,480	SPLOST (1998-2003) - Westlake Drainage Project
I. Approval of the selection of a contract to construct the Mosquito Control Facility at Savannah International Airport	Mosquito Control	R. L. Construction (WBE)	\$3,846,497	Airport Commission Financing
J. Change Order No. 4 to the design and engineering contract for the Judicial Courthouse HVAC upgrade to provide specialized engineering, design and systems integration services relating to the upgrade of the fire alarm system	Building Maintenance and Operations	Rosser Fabrap	\$12,100	Bond Proceeds - Judicial Courthouse HVAC Replacement
K. Change Order No. 5 to the design and engineering contract for the Judicial Courthouse HVAC upgrade for the design and engineering of HVAC improvements in the adjacent Old Jail, which is served by the Courthouse HVAC	Building Maintenance and Operations	Rosser Fabrap	\$4,700	Bond Proceeds - Judicial Courthouse HVAC Replacement

As to Items 14-A through 14-H, except Items 14-D and 14-E:

Commissioner Murray moved to Items 14-A through 14-H, except Items 14-D and 14-E. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

As to Item 14-D:

CONFIRMATION OF ISSUANCE CHANGE ORDER NO. 1 TO THE CONTRACT TO PERIODICALLY SAMPLE THE GROUNDWATER MONITORING WELLS LOCATED AT VARIOUS LANDFILLS FOR ADDITIONAL METHANE COMPLIANCE TESTING, TEST WELL DRILLING AND PROBE INSTALLATION AT THE WILMINGTON ISLAND LANDFILL; SOLID WASTE MANAGEMENT; SOURCE: ADVANCED ENVIRONMENTAL MANAGEMENT, INC.; AMOUNT: \$22,314; FUNDING: SOLID WASTE MANAGEMENT.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel asked, what type of information are we getting here that we're spending this much money? County Manager Abolt said, this is an EPD requirement to monitor for methane. Commissioner Jackel asked, because of its effect on the surrounding area, or -? County Manager Abolt said, yes sir. County Attorney Hart said, it's also part of your permit requirement.

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

As to Item 14-E:

CONTRACT FOR THE CONSTRUCTION OF PHASE II IMPROVEMENTS TO THE PLACENTIA CANAL; SPLOST; SOURCE: ARCO, INC.; AMOUNT: \$2,267,683; FUNDING: SPLOST (1998-2003) - DRAINAGE - PLACENTIA CANAL.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, my next one is J. Which one are you on now? Chairman Hair said, I'm on E. Commissioner Murray said, somebody pulled E. Commissioner Jackel said, I'm sorry. All right, E. Chairman Hair said, you pulled E.

Commissioner Odell said, I'll move for approval. Commissioner Murray said, second.

Commissioner Jackel said, all right, I wanted to –, the reason why I pulled that was just to let everyone out there know that we are working on this and we are moving forward.

Chairman Hair said, motion to approve and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

As to Item 14-I:

APPROVAL OF THE SELECTION OF A CONTRACT TO CONSTRUCT THE MOSQUITO CONTROL FACILITY AT SAVANNAH INTERNATIONAL AIRPORT; MOSQUITO CONTROL; SOURCE: R. L. CONSTRUCTION (WBE); AMOUNT: \$3,846,497; FUNDING: AIRPORT COMMISSION FINANCING.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. I just believe from our meeting with Mosquito Control that there's a way to save the taxpayers of Chatham County money. The tonnage reported haul around as in the chemical supposed to actually kill mosquitos there was more used from the helicopters than from the airplanes, and I just believe that this is something we're really jumping on quick where there would be a possibility of purchasing an additional helicopter, refurbishing the existing building to save the taxpayers a lot of money and still do the –, an adequate or just as good if not better job.

Chairman Hair said, the problem, Commissioner Kicklighter, is with the helicopter. That's the problem at the current site is we're having helicopters now at that site, and we're having now to take off with half loads going across the street, landing at the Army National Guard, filling them up and going again. As long as you fly helicopters over those power lines it's a safety issue. I will say this, the Savannah Airport Commission has been outstanding in working with us on this project. They have –, they're basically acting as a banker. They're financing it, they've got an excellent interest rate on it. The problem is not with the fixed wing. I don't disagree with you at all as far as the helicopter, but this is the hangar facility and also in terms of handling the chemicals, and the Mosquito Control folks have told me many times that this is a safety issue primarily for the pilot. I can tell you as a pilot myself flying those helicopters out on Eisenhower Drive is not a smart move, and if we had more helicopters we'd be actually making it worse instead of making it better. But I think as far as getting away from fixed wing and going to rotary wing I think is a good idea.

Commissioner Kicklighter said, Mr. Chairman, at our last meeting with Mosquito Control I asked the question how much would the land lease be at the Savannah Airport, and this was only a few weeks back, and they had no idea at the time what the actual cost would be to lease the land there –. Chairman Hair said, well, there –. Commissioner Kicklighter said, and to me this is just a huge amount of money. \$4.6 million to spend on a building and at that point –, my question is do we know how much the land lease would cost now? Chairman Hair said, it actually is about –, I'll tell you exactly the amount, Commissioner Kicklighter. The annual payment is \$334,000. Okay, building, land, everything. That's the annual payment that we would be making. Commissioner Kicklighter asked, so after 30 years we would not have to pay them anything for leasable land? Chairman Hair said, that's correct. That is correct, and this interest rate is substantially below what the market rate is.

County Attorney Hart said, after –, I'd like to correct something. There's actually two vehicles that are being used. There's a ground lease there from the airport, and under the Federal Aviation Commission they cannot sell us the land. So what we did was we entered into an intergovernmental agreement for a long term lease on the ground. The land lease on the ground would continue. That's about \$30,000, \$40,000 a year, I think, as I recall. The improvements that are put on that property are being financed essentially by the airport through lease payments, and I think the effective interest rate is almost flat out six percent on that, which is pretty good terms, and the cost mechanism there was to save us from going out in the public sector and borrowing bond money or whatever. Once those improvements were depreciated out, we would not be paying for those, but, you know, the ground lease would –, fundamental ground lease would have to stay in place. Chairman Hair said, but not for \$334,000. County Attorney Hart said, no sir.

Commissioner Rayno said, Chairman Hair. Chairman Hair recognized Commissioner Rayno. Commissioner Rayno said, do we already have a hangar out of the airport currently for the fixed wing operations? Chairman Hair said, no. We lease

a hangar. Commissioner Rayno said, we lease a hangar. Chairman Hair said, we pay Signature –. Commissioner Rayno asked, how much room is in that building? Is there enough for the –, you've got one plane out there, two planes? Dr. Henry Lewandowski said, we've two airplanes, sir, and a helicopter, one helicopter. Commissioner Rayno asked, and the helicopter is small enough to put on a trailer and haul out there, does that fit in the hangar at the same time as the fixed wings? Dr. Lewandowski said, I'm not certain. Commissioner Rayno said, all right, sir. I'd just like to make a proposal I think would be feasible and would say a lot of money and that would be to buy the mixer that you want, station it out at the airport with the hangar, and run your operations from there. County Attorney Hart said, that's what we're planning to do. Commissioner Rayno said, I know, but what you're talking about is building a whole new complex out there. I'm just saying use the hangar that you've got. Chairman Hair said, first of all, you would be very restricted. You'd have to get permission to do that from the airport. Actually, they don't the hangar we rent. I believe, and correct me if I'm wrong, you don't lease from the airport, do you? Don't you lease from Signature or –? Who do you lease from out there? You don't lease from the airport, do you? Dr. Lewandowski said, from Signature, yes sir. Chairman Hair said, he leases from Signature, which is a private company.

Commissioner Kicklighter asked, what is the cost of the lease currently from Signature for the hangar? Dr. Lewandowski said, \$380 a month. That's for two hangars. Chairman Hair asked, \$380? Commissioner Kicklighter said, plus this \$30,000 a month that this land lease requires? Dr. Lewandowski said, yes sir.

Commissioner Rayno said, and I –, what I'm saying is you want to go ahead, Mr. Hair, and spend \$4.6 million [inaudible] pay for this thing than finding out what the cost will be for another alternative plan that might be cheaper and work just as good. Chairman Hair said, first of all, it's not what I want to do, Commissioner Rayno. Chairman Hair said, it seems like you're pushing it through pretty quick. Chairman Hair said, well, I am pushing it because it's a good idea for the County, but this has been –, the Mosquito Control Commission –, how long has been –, as being proposed? A year? County Manager Abolt said, two and a half years. Chairman Hair said, yes, a long time. This has been in the planning stages, it's been –, everybody that knows anything about Mosquito Control, which I don't know anything about Mosquito Control, but the experts have said, have told us repeatedly that this is the best proposal for us to continue to provide the service, and so it's not my opinion, it's what the professionals in the business have said that it's a great idea. Commissioner Rayno asked, would it inhibit our capacity to kill mosquitos if we did what I'm suggesting or even explored it for a couple more weeks? Dr. Lewandowski asked, and that is to move the helicopter out to the airport? Commissioner Rayno said, yes, put the silo out there, put the mixer out there. The men wouldn't have to lift the sacks anymore, you'd have a cheaper cost for your sand. Chairman Hair said, Mr. Hart needs to answer.

County Attorney Hart said, there was an expiration of the possibility of locating the silos and hangars –, the mixing facilities out on the airport property. Those are pesticides. They fall under certain environmental requirements. The airport was not overwhelmingly in favor of locating those out there, and by a process of elimination this is sort of where this property came in. But, you know, that would be something we'd have to explore.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, as far as just looking at other options, I know out in Garden City they were basically forced into purchasing two schools back a few years back. Both sites are approximately 15 acres apiece. I'm sure if the County contacted the City of Garden City they could purchase –, purchase the land for one of the sites for anywhere from \$200,000 to –, somewhere around \$200,000, \$200,000 to \$300,000, and actually that would be enough room to do the helicopters and you wouldn't be looking at a \$40,000 –, you know, you'd be looking at construction of a few hangars, like Mr. Rayno suggested, and you'd eliminate the rent also on that. I just –, I think it's a good idea and I commend you, like I told you in the meeting, you're working hard, you're doing a great job, but I just –, I believe there are other ways out there to save the taxpayer's money and still kill the mosquitos. I mean –.

Chairman Hair said, well, I don't know where you're proposing, but I can tell you when you start putting chemicals in neighborhoods and flying helicopters in neighborhoods where these schools are located is not a good idea. Commissioner Kicklighter said, well, the schools have been torn down. Chairman Hair said, well, you've still got to fly the helicopters over the houses to get in there and getting out of there. Commissioner Rayno said, we're doing that now. Chairman Hair said, which is going to cause you noise problems and –.

Commissioner Thomas said, I don't think that's going to work. I don't think it's going to fly, and the reason why I say that is because it's heavily populated out there and you're going to have a whole lot of upset people. Commissioner Kicklighter said, well, that is an example. I'm not saying go buy those –. Commissioner Thomas said, and you know very well, as I know –. Commissioner Kicklighter said, right? Commissioner Thomas said, the area that we're talking about. Commissioner Kicklighter said, right. Commissioner Thomas said, and if you start talking about that, you're really up for a big fight. I can tell you that right now.

Chairman Hair said, Commissioner Murray and then Dr. Lewandowski.

Commissioner Murray said, I can certainly respect what they're talking about, but being through this whole process for roughly two and a half years and going through this and trying to resolve the problems we had on Eisenhower Drive for the Mosquito Control facility, to me it still makes sense to move to the airport where we have everything under one roof and everything's operating like it needs to and we don't have problems with storing the chemicals. If y'all think this is expensive,

wait till you see the first thing on your agenda to purchase –, how much that stuff runs per gallon to purchase what they use. I came out of the seat when I first saw it, but it works and they do a terrific job with it, and I understand where you're coming from and I understand trying to say the taxpayer's money, but this is one time that I think the money's being well spent for the facility they're trying to do to have everything under one roof out at the airport where everything that we fly is kept under the same roof also out there and we don't have the problems that we have in other areas.

Chairman Hair said, I'll entertain a motion. Commissioner Odell said, I'll move to approve the proposal. Chairman Hair asked, do I have a second? Commissioner Rivers said, second. Chairman Hair said, second. All those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Jackel, Murray, Odell and Thomas voted in favor of the motion. Commissioners Rayno, Gellatly and Kicklighter voted in opposition. The motion carried by a vote of six to three. Chairman Hair said, the motion passes. Thank you.

As to Items 14-J and 14-K:

- J. CHANGE ORDER NO. 4 TO THE DESIGN AND ENGINEERING CONTRACT FOR THE JUDICIAL COURT-HOUSE HVAC UPGRADE TO PROVIDE SPECIALIZED ENGINEERING, DESIGN AND SYSTEMS INTEGRATION SERVICES RELATING TO THE UPGRADE OF THE FIRE ALARM SYSTEM; BUILDING MAINTENANCE AND OPERATIONS; SOURCE: ROSSER FABRAP; AMOUNT: \$12,100; FUNDING: BOND PROCEEDS - JUDICIAL COURTHOUSE HVAC REPLACEMENT.
- K. CHANGE ORDER NO. 5 TO THE DESIGN AND ENGINEERING CONTRACT FOR THE JUDICIAL COURT-HOUSE HVAC UPGRADE FOR THE DESIGN AND ENGINEERING OF HVAC IMPROVEMENTS IN THE ADJACENT OLD JAIL, WHICH IS SERVED BY THE COURTHOUSE HVAC; BUILDING MAINTENANCE AND OPERATIONS; SOURCE: ROSSER FABRAP; AMOUNT: \$4,700; FUNDING: BOND PROCEEDS - JUDICIAL COURTHOUSE HVAC REPLACEMENT.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, again, this project just keeps growing and growing and growing and I wanted to voice my concerns about that.

Mr. George Lynch said, sir, you can in this particular case blame me, not the contractor. I deliberately solicited the Rosser Fabrap. I did it for the simple reason that they are in there with the HVAC design contract, which has certainly not all, but a constellation of sniffers that you have. We know we have got an ancient functionally obsolescent degrading fire alarm system. That doesn't mean it isn't safe at the moment, but it's got to be replaced. To me it made great good sense to make sure that the folks that we asked to design the system were concurrently responsible for those sensors so we could get system integration and get it fast. I take the rap on that. That was not Rosser's idea.

Commissioner Jackel asked, and this is J and K? Mr. Lynch said, J –, no, there's a little difference, sir. Same principle. J –, have I responded to your question on J, fire extinguisher? Okay, on K, sir, we had a problem in that portion of the old jail that's occupied by the court's court division of the Sheriff's Department, and I refer also to the control room, which is responsible for the safe-guarding of the prisoners in the opening and closing of the doors for those 50 or so per day that come in awaiting court appointments. We've been having an air conditioning problem there. As you'll recall, the chillers that cool and the heaters that heat, if you would, the judicial courthouse and the jail are one and the same. Different air handlers, same chillers. Once again we found that we could not do a cheap temp fix. My view was it made great good sense to use the contractor who is already working those systems and doing the design to come in and give us an integrated one. One further point, we will control both from a central computer, and I want to make darn sure that that computer talks to both buildings.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Jackel said, okay. Chairman Hair said, motion. Second? Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. The Clerk asked who made the motion and second. I'm sorry, I –. Commissioner Odell said, Martin [Jackel] made the motion, I seconded it. Commissioner Jackel said, J and K. The Clerk said, thank you.

ACTION OF THE BOARD:

1. Commissioner Murray moved to Items 14-A through 14-H, except Items 14-D and 14-E. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
2. Commissioner Jackel moved to approve Item 14-D. Commissioner Murray seconded the motion and it carried unanimously.
3. Commissioner Odell moved to approve Item 14-E. Commissioner Murray seconded the motion and it carried unanimously.

4. Commissioner Odell moved to approve Item 14-I. Commissioner Rivers seconded the motion. Chairman Hair and Commissioners Rivers, Jackel, Murray, Odell and Thomas voted in favor of the motion. Commissioners Rayno, Gellatly and Kicklighter voted in opposition. The motion carried by a vote of six to three.
5. Commissioner Jackel moved to approve Items 14-J and 14-K. Commissioner Odell seconded the motion and it carried unanimously.

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XI. FIRST READINGS

Proposed changes to ordinances must be read or presented in written form at two meetings held not less than one week apart. A vote on the following listed matters will occur at the next regularly scheduled meeting.
On first reading, presentation by MPC staff and discussion only by Commissioners will be heard.
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. REQUEST THE ADOPTION OF AN ORDINANCE TO REGULATE COIN-OPERATED AMUSEMENT DEVICES/MACHINES WITHIN THE UNINCORPORATED COUNTY LIMITS. [NO DISTRICT - TEXT AMENDMENT UNINCORPORATED AREA.]**

Chairman Hair asked, does any Commissioner want to talk about it. I'll entertain a motion.

Commissioner Jackel said, we had additions on this. County Attorney Hart said, yes sir, italicized in the amended ordinance in there. Commissioner Jackel said, yes, I saw the changes in there. Now, how closely do we have -. My concern is about the video poker machines. Is that adequately defined so that -? County Attorney Hart said, yes sir. It covers it. There's also, I should bring to the attention of the Commissioners Senate Bill 18 that's currently pending in which they intend -, the legislation's being introduced -, I forget who's introducing it, in which they redefine video poker machines as a gambling device and game of chance, and if that passes, which the feedback on that, it will put both types of machines y'all are concerned about into the gambling device category, which, you know, may obviate some -. Commissioner Murray asked, some of that will have to be taken out, right? County Attorney Hart said, mya obviate some of the need for some of the things we're trying to do here. Then, again, it may not pass.

Commissioner Odell asked, will it put the State lottery in that same position? County Attorney Hart said, no sir. I don't think so.

Chairman Hair asked, did that answer your question, Commissioner Jackel? Okay.

Commissioner Jackel said, I just -, so we've got it limited now to one machine, no alcohol, not during the school hours, and all those other requirements, and the people that had it are grandfathered in for no more than three years. County Attorney Hart said, I think it was a two-year provision. Commissioner Jackel said, two years. Okay, that sounds great.

ACTION OF THE BOARD:

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

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XII. SECOND READINGS

- 1. PETITIONER, RANDE DUKE, AGENT (FOR PAULINE N. CHEADUE, OWNER), IS REQUESTING REZONING OF A 6.1 ACRE PARCEL FROM AN R-A (RESIDENTIAL-AGRICULTURAL) CLASSIFICATION TO A P-R-1-S (SINGLE FAMILY RESIDENTIAL-SMALL LOT SUBDIVISION) CLASSIFICATION TO ALLOW 28 SINGLE FAMILY DETACHED DWELLINGS. THE MPC RECOMMENDED APPROVAL SUBJECT TO CONDITIONS.
MPC FILE NO. Z-001106-59986-1
[DISTRICT 6.]**

Chairman Hair recognized Mr. Saxman.

Mr. Bill Saxman said, petitioner is requesting to rezone the property and is proposing to put smaller lots that require this rezoning. The MPC in looking at the site plan does find that the zoning would be compatible with the adjoining property. There is a homeowner association that would be established. They will have basically parking off the rear of the property. They will have green space set aside and buffers that would be able to mitigate the additional impact on adjoining property. As far as we know, we have had no negative comments.

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

ACTION OF THE BOARD:

Commissioner Odell moved to approve the petition of Rande Duke, Agent (for Pauline N. Cheadue, Owner), to rezone a 6.1 acre parcel from an R-A (Residential-Agriculture) classification to a P-R-1-S (Single Family Residential-Small Lot Subdivision) classification to allow 28 single family detached dwellings subject to the following conditions being added to the General Development Plan: (1) The proposed subdivision shall be developed with a homeowner's association to maintain the common areas, access easements, buffers, and other open spaces in the subdivision; (2) Off-street parking shall be approved for Lots 27 and 28; (3) The access and utility easements shall be screened with a thick evergreen landscaped buffer within the buffer easements (an additional buffer fence may be required on the Specific Development Plan to adequately screen the rear of adjoining residential units if a vegetated buffer is not adequate); (4) The Chatham County Engineer's approval of the proposed drainage plan and traffic plan; and (5) A Specific Development Plan shall be approved by the MPC Board to assure the intent and purposes of the P-R-1-S district are maintained. Commissioner Kicklighter seconded the motion and it carried unanimously.

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2. AN AMENDMENT TO THE CHATHAM COUNTY ZONING ORDINANCE TO ELIMINATE POSSIBLE ABUSES OF THE MEDICAL HARDSHIP PROVISION THAT ALLOWS A MANUFACTURED HOME TO BE UTILIZED AS A SECOND DWELLING UNIT ON A RESIDENTIAL LOT HAS BEEN DRAFTED FOR CONSIDERATION. THE MPC RECOMMENDS APPROVAL OF THE AMENDMENT.

MPC FILE NO. Z-001010-34439-1

[NO DISTRICT - TEXT AMENDMENT UNINCORPORATED AREA.]

Chairman Hair said, we need a motion to take Item No. 2 off the table. Commissioner Rivers said, so moved. Commissioner Odell said, second. County Manager Abolt said, sir, no sir. You actually –, permit me. You'd be going back to page four, the amendment that you tabled, MPC file –. Chairman Hair asked, to deal with them at the same time why do we need to do them separate? County Manager Abolt said, that's what I'm saying. You said take number two off the table –. Chairman Hair said, well. County Manager Abolt said, you say number one. Chairman Hair said, same thing. All right, take it off the table. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

Chairman Hair said, Item No. 2, amendment to Chatham County Zoning Ordinance to eliminate possible abuses of medical hardship provision that allows a manufactured home to be utilized as a second dwelling on a residential lot has been drafted for consideration. The MPC recommends approval of the amendment. Chairman Hair recognized Mr. Saxman.

Mr. Bill Saxman said, basically is the issue we were speaking of last meeting. We did make a recommendation of change from the language that Mr. Jackel had asked about as far as the steps on page six. We did make a recommended change on that language there, which is included in this draft. The language in subsection (j) basically is the language that the County Commission has requested that we look at and try to limit the time that an individual could have an extended review of his hardship situation. The ordinance is proposed to be that the zoning administrator will handle the first year, and if there's a second extension requested, or an extension requested from that first year, they would come before the County Commissioners. They'd have to justify that extension, or if there's a change in the number of the persons that would actually have been handling that first year, then that would also be submitted to review by the County Commissioners.

Commissioner Rayno said, motion to approve. Chairman Hair said, second. Chairman Hair said, I've got a motion and second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. Thank you. The Clerk said, I'm not hearing these seconds. Commissioner Odell said, I second. The Clerk said, thank you. Chairman Hair said, you can always default to Commissioner Odell. If you don't hear a second, you put his name down. He's our default seconder, okay? You just default to him.

* * *

Mr. Saxman said, on the second –, going back to the mobile home issues where we had the marker section of the mobile homes, we haven't addressed that other document. It was tabled from the last meeting. Chairman Hair said, it's got the same file number, it's not the same thing? County Attorney Hart said, yes, we did. Chairman Hair said, it's got the identical file number. Mr. Saxman said, well, I only reviewed one portion of it, so –. Chairman Hair said, well, that's all right, everybody's fine.

[NOTE: A motion is shown below and on Item VIII-1 as though a separate motion was made on each item.]

ACTION OF THE BOARD:

Commissioner Rayno moved to approve an amendment to the Chatham County Zoning Ordinance to eliminate possible abuses of the medical hardship provision that allows a manufactured home to be utilized as a second dwelling unit on a residential lot. Commissioner Odell seconded the motion and it carried unanimously.

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3. **PETITIONER, PAUL H. FELSER, AGENT/CROWN CASTLE COMMUNICATION (LANDINGS ASSOCIATION, INC., OWNER) IS REQUESTING THAT APPROXIMATELY ONE ACRE IN THE SOUTHERN PORTION OF AN 11 ACRE TRACT AT THE LANDINGS ASSOCIATION ADMINISTRATION BUILDING AND MAINTENANCE FACILITY BE REZONED FROM AN R-A (RESIDENTIAL-AGRICULTURE) CLASSIFICATION TO A PUD-R (PLANNED UNIT DEVELOPMENT-RESIDENTIAL) CLASSIFICATION IN ORDER TO CONSTRUCT A 180 FOOT MONOPOLE TELECOMMUNICATIONS TOWER. THE MPC RECOMMENDED APPROVAL.
MPC FILE NO. Z-001130-38455-1
[DISTRICT 4.]**

Chairman Hair recognized Mr. Saxman. Commissioner Murray said, move for approval. Chairman Hair said, we have a motion to approve. Commissioner Odell said, I will second. Chairman Hair said, second. See, I told you, he's already seconded. The Clerk said, thank you. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved to approve the petition of Paul H. Felser, Agent/Crown Castle Communication (Landings Association, Inc., Owner), that approximately one (1) acre in the southern portion of an 11-acre tract at the Landings Association Administration Building and Maintenance Facility be rezoned from an R-A (Residential-Agriculture) classification to a PUD-R (Planned Unit Development-Residential) classification in order to construct a 180-foot monopole telecommunications tower. Commissioner Odell seconded the motion and it carried unanimously.

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XIII. INFORMATION CALENDAR

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

ACTION OF THE BOARD:

Written report received as information.

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

ACTION OF THE BOARD:

Written report received as information.

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3. **REPORT ON THE TEST DEVELOPMENT REVIEW AND PERMITTING PROCESS BY THE DEPARTMENT OF ENGINEERING.**

ACTION OF THE BOARD:

Written report received as information.

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EXECUTIVE SESSION

Upon motion being made by Commissioner Thomas, seconded by Commissioner Murray and unanimously approved, the Board recessed at 12:15 p.m., to go into Executive Session for the purpose of discussing litigation, land acquisition, and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 1:00 p.m.

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ITEMS FROM EXECUTIVE SESSION

- 1. **REQUEST BOARD APPROVE SETTLEMENT OF CHATHAM COUNTY, GEORGIA V. 0.032 ACRES OF LAND; 264.18 LINEAR FEET OF ACCESS RIGHTS; DR JEROME B. JOHNSON, ET AL, CIVIL ACTION NO. CV00-0778-FR (JONATHAN HART).**

ACTION OF THE BOARD:

Commissioner Thomas moved to approve settlement of Chatham County, Georgia, v. 0.032 Acres of Land; 264.18 Linear Feet of Access Rights; Dr. Jerome B. Johnson, et al, Civil Action No. CV00-0778-FR, in the amount of \$145,000 to the owner and \$20,000 to the tenant. Commissioner Odell seconded the motion and it carried unanimously.

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

ACTION OF THE BOARD:

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

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APPOINTMENTS

- 1. **CHATHAM COUNTY RECREATION AUTHORITY
CHATHAM COUNTY EMPLOYEES PENSION BOARD
SOUTHEAST COASTAL REGIONAL BOARD FOR MENTAL HEALTH/MENTAL RETARDATION/SUBSTANCE ABUSE
SAVANNAH CONVENTION & VISITOR'S BUREAU**

ACTION OF THE BOARD:

Commissioner Murray moved to make the following appointments to Committees requiring appointments to be held by Commissioners: Chatham County Recreation Authority: Commissioners Rayno, Odell and Kicklighter; Chatham County Employees Pension Board: Commissioner Gellatly; Southeast Coastal Regional Board for Mental Health/Mental Retardation/Substance Abuse: Commissioner Odell; EMS Advisory Board: Commissioner Thomas; and Savannah Convention & Visitor's Bureau: Chairman Hair. Commissioner Thomas seconded the motion and it carried unanimously.

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ADJOURNMENT

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 1:03 p.m.

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APPROVED: THIS _____ DAY OF _____, 2001

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

SYBIL E. TILLMAN, COUNTY CLERK