

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, FEBRUARY 9, 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, February 9, 2001.

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II. INVOCATION

Mr. Van Johnson, Chatham County Employee Services Manager, 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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YOUTH COMMISSIONERS

Chairman Hair said, I'd like to first introduce this morning Christopher Lowe. He is a senior at St. Andrew's, a part of our Youth Commission. We appreciate you being here this morning and as we go through deliberations, if you'd like to say anything, just raise your hand and I'll recognize you to ask any questions or make any comments. We're glad to have you with us.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. PRESENTATION BY C.J. ROBERTS, PRESIDENT AND C.E.O., EIGHTH AIR FORCE HERITAGE MUSEUM.

Chairman Hair said, the first thing on our agenda this morning is we're going to have a presentation by C. J. Roberts, who's President and CEO of the Mighty Eighth Air Force Heritage Museum. The floor is yours, C. J. [Roberts].

Mr. Roberts said, good morning, and thank you for asking me to be here today. To start the presentation off on a positive note, the organization is continuing to maintain itself on its day-to-day operating expenses and last year was the best year we have had yet in terms of attendance. We welcomed 111,703 visitors, which was up by just about 2,000 visitors over the prior year. Also last year we hosted over 10,000 organized school group children for our various education programs, and the museum continues to impact the local economy by more than \$12 million annually. I came on board in September of last year and it was made very clear to me that my marching orders were to carry the institution forward and achieve the initial vision of a world class institution, so I sat down with the board and redefined those characteristics that make a world class institution, and that is a institution that's financially sound, that meets its financial obligations, is well attended, professionally managed, offers quality programs and exhibits, responsibly cares for and documents its artifacts, serves as a benchmark for other institutions, and is accredited by the American Association of Museum, the Good Housekeeping seal of approval, if you will, in the industry. The first thing I did was took a look at the situation and focused on a couple of challenge area. One is cash flow, which continues to be a challenge area, and the other is attendance. We have not even begun to reach our potential there. I'm going to talk to you about some tools we're going to use on both of these this year. The third is capital improvements. We've got a lot of exhibits that we need to continue to grow and expand in order to draw the kind of visitors and be the caliber institution that we aspired to be. So the first thing we did as part of the strategic plan was we sat down as a board and we looked at our mission and we developed a new mission, and I want to share this with you because obviously this drives everything that we do, and it is a step that we are taking to move away from being just a memorial and expand to being both a memorial and an education facility. So the new mission of the Mighty Eighth Air Force Heritage Museum is to honor the courage, character and patriotism embodied by the men and women of the Eighth Air Force from World War II to the present, and the museum celebrates these values for the benefit of future generations.

In 2001 our focus areas are going to be in the areas of development, marketing, programming, capital projects, collection development, our artifacts, collecting oral histories, these stories, these testimonies from our veterans. You know, we're losing a thousand veterans a day, World War II veterans a day in this country. Every time a veteran passes on that's a story that goes with that veteran, and so we want to document those, we want to collect those and build those into a world class archive, and we want to continue to grow our staff. Let me start with development. We have six areas of fund raising, if you will, that we're focusing on this year, the most important of which is what we're calling the Victory Campaign. The Victory Campaign and the Capital Campaign, which includes capital projects, debt service, our obligation to the County and operating funds. Over the next three years we plan to raise some \$9 million, and I think that that's very feasible given our board, our membership base, and so we're going to be working very hard to do that. We're currently developing the collateral materials necessary, securing pledges from all of our board members, which we will then go out and ask for contributions from individuals, corporations, foundations, and so on. Some of you may be hearing from us. We have created a legacy society which is a planned giving program. You know, we have a natural audience for planned giving. We have an aging veteran base, many of whom obviously are on fixed incomes and can't afford to give us maybe \$500 or \$1,000 during their lifetime, but they can very easily put us into their will. We want a growing endowment so that even during those lean times when tourism drops off we're able to maintain our day to day operations.

Our annual campaign continues to be an ongoing effort. Last year we raised some \$70,000 in gifts of \$1,000 or below. We're going to continue to aggressively market that campaign and increase it by seven or eight percent this year. Our membership campaign, we have an amazing number of members for the size institution we are. We currently have 5,600 members. Those are those individuals that buy a membership at, say, the \$35 level, they get a pass to the museum, a newsletter, and the like. We want to grow that membership a little by 250 new members this year, and we're looking at an initiative actually to do a joint membership with the Eighth Air Force Historical Society, and that's an organization that has some 30,000 members, so my 250 new members may actually be very modist if that indeed is successful.

We had asked for funding from this year's State Legislature. We'll see how that goes. We got a generous gift last year for a capital project. We've asked for another one this year. We're also looking at our Federal funding opportunities. There is a precedent for the Federal Government giving to capital projects, exhibits and the like. I was the fortunate recipient of about \$8 million in Federal funds when I was directing the National D-Day Museum project for New Orleans, so I think if we work that effort a little bit we can secure some Federal funds as well.

Under the category of marketing one of our goals is to begin building more bridges to the community. It's interesting being sort of the new guy in town. As I go around and meet folks I hear from an awful lot of people that the Mighty Eighth Air Force Museum, that's a wonderful place, I've never been there but it's a wonderful place. So one of our goals is to do some things that are going to draw the local community out to the museum, develop more programming that's going to be appealing to the community, bring in more traveling exhibits. If you've already been to the Mighty Eighth, why do you need to go back? Well, if there's a new exhibit maybe you'll come out to the that. More special events, and we have a couple of pretty exciting special events planned for this year, which you're going to be hearing more about in the news. Continue to use the facility

as a community resource. More and more we're doing corporate parties. The Pooler Chamber of Commerce did a large Christmas party in December. I think they drew some 2,500 people to that. That's nice because that gets folks out to see the museum. Maybe they're there for their Thursday night party and they say, gee, this looks like an interesting place, I'll come back Saturday and bring the family. And we want to continue to recruit local members. Again, getting that buy in from the community.

Now our marketing, we're currently at —, right at 112,000 visitors a year. I would like to grow that by ten percent in this calendar year, and what we're doing to achieve that, our marketing in the past has been at best maybe a little unsophisticated. We're taking it up a notch. I had divided our visitors into two groups, what I'm calling the impulse visitor and the premeditated visitor. The impulse visitor is that visitor who's driving by and sees a billboard or picks up a rack-card brochure and decides they want to come visit us. We did a billboard campaign last year that was not a success. The art looked great on 11 by 17 sheet of paper, but when you put it up on large billboard it didn't carry, so what I have done is I have partnered with a marketing and PR firm here in town that has some expertise in the area of outdoor advertising. We've developed a new billboard campaign. You'll see that going up in February. We're developing press kits so we can distribute to local media. We had some success last Sunday. We had a nice article in *Parade Magazine*, reached 81,000,000 households in this country, so we felt very good about that, so that's starting to work. Developing new rack brochures, looking for media partners to do radio and television advertisements. We've also done some improvements around the facility itself regarding marketing, some new signage, some banners and the like. The other area is the premeditated visitor, and that's the bus groups, the frequent individual traveler. We haven't done much to draw those visitors really. If a bus comes to the Mighty Eighth we had very little to do with it. So we're going to step up and be a little more aggressive in that area, start attending some of these tour operator conferences, workshops and the like and really try to get the word out that this is a good experience and those planners should include us.

We've had some other marketing opportunities that we're taking advantage of. A lot of the business/es that are being built around the Mighty Eighth have come to us asking for materials to put on their wall. Most recently the Taco Bell that sits on the corner of Bourne Avenue came to our gift shop and bought a dozen or so posters that they've literally lined the restaurant with. That's great exposure for us, so we're developing a poster to make it easy for the businesses. When they come to us and they want to put something up, let's make it as easy as we can so they'll put up our poster. We're working with the Mulberry here downtown to do an exhibit in one of their glass display cases, so we're really trying to reach out to the community and heighten our —, broaden our profile.

We're working to develop our staff so that they can be even more effective museum professionals, and to that end I am sending each one of our directors to at least one continued education opportunity this year, workshop, seminar, conference, whatever.

We're continuing to develop our programming, our school group programs. We have an initiative going on right now where we're reaching out to all of the social studies educators within 150 mile radius asking representatives from each school district to sit on a Teachers Advisory Board, which will help us create a curriculum guide which we can then distribute to the schools matching those quality core curriculum standards and heightening the field trip experience. We're expanding the different programs that we're offering those schools. Currently we have four programs. We'd like to bump that up to six so they have six different programs to choose from when they come to tour the museum. We're also expanding our adult programs and we have just launched a new lecture series, which is going to be a quarterly lecture series we're calling the General Hap Arnold lecture series. We're growing our elder programs, offering more for those types of visitors, and also doing a new program which will also appeal to the elder visitors but as well as our adult crowd, which we're calling the Behind the Scenes —, Behind the Glass Tour, showing those behind the scenes museum operations, and I find that often times visitors are as interested in what they're not supposed to see as what they are supposed to see. So we're opening up the whole place, showing them how the museum operates, how collections are handled, and the like, and I think that will be very popular.

Capital projects that we'll be working on this year, we're building a small chapel. This is something that the Eighth Air Force Historical Society wanted to see very much and, in fact, raised the funds for. It's a small chapel to be built in our Memorial Gardens. It's inspired by an English design chapel and will really be an area where veterans and their families can reflect and the like. Post-World War II Gallery, and we got a generous grant from the State for this. I have hired probably one of the top exhibit designers in the country to come in and do about a 3,000 square foot gallery on the story of the Eighth Air Force in the post-World War II period. I think that's going to be a very popular exhibit when it opens approximately 24 months from now. Women in Aviation is another exhibit that the State has helped us with, as have other private contributors. That's going to be an exhibit that if the funding stays on track we hope in about 17 months. We're going to profile how women have played a role in the Eighth Air Force from starting off in the WAC Corps, in the WASP Corps, and the like and then finally moving to a point where they're flying as crews on B-52 missions. Oral history stations. I told you I want to collect oral histories from these veterans. We're going to build an archive in our library, but another thing we're going to do is we're going to incorporate these oral histories throughout our exhibit. So in the future when you tour the Mighty Eighth Air Force Museum, you're going to be taken through by someone who was there. It's their voice. Even when the veteran's no longer with us, you'll be able to push a button and hear about the war in the words of somebody who lived through it.

Collection development. We're continuing to grow our collection. We have some 6,000 artifacts. We're looking for artifacts that tell stories. We'd like to collect 1,000 oral histories by the end of this year. You know, one of the top oral history archives in this country is at the Eisenhower Center for American Studies, which is attached to the D-Day Museum

where I was. They only have 2,500 oral histories, but they're famous all over the country. Well, with our close alignment to the Eighth Air Force Historical Society, which has 30,000 members, we'll be able to exceed that number in a very rapid period of time. Often times we have reunion groups that come and they're some 300-plus in number, so you can see that we can grow that archive very, very quickly.

And I just want to say that we're committed and I am committed to doing everything in my power to repay the debt to the County. We take that very seriously, the Board takes that very seriously. No one has forgotten about that debt. It was certainly the first thing that was talked about in my interview. One of the reasons I was hired is because I came up with some strategies that would help us pay that off. That Victory Campaign is one of them. It was clear that we're not going to pay that debt off through earned income. Earned income only funds 70% of our operating budget. It costs us a lot more to service a visitor than we make from a visitor. The only way we're going to be able to repay that obligation is by going out and raising money. So we've put together a strategic plan to fill our case. Our collateral materials are in order, and we're going to launch this campaign in May of this year. Right now we're securing the pledges of our board, and we're going to do everything we can to repay that debt. In addition, we're going to do everything we can to continue to serve this community, to continue to honor our veterans, to educate our children and to impact the local economy. Any questions?

Chairman Hair said, I don't have a question, Mr. Roberts, but we certainly appreciate your efforts, and today I have a presentation for you. C.J. [Roberts] mentioned in his presentation that the museum got a DCA grant, Department of Community Affairs grant, last year for the post-World War II exhibit, and I'm pleased this morning to present to you the first check. The way this works is you get 75% up front and then you get 25% when the exhibit is complete. So today I'm presenting you a check for \$265,500, and that will all go towards the post-World War II exhibit. Mr. Roberts said, thank you. Chairman Hair said, thank you.

Mr. Roberts said, it's going to be an exciting exhibit and you'll all have an opportunity to be there for the opening. Any other questions I can answer?

Chairman Hair asked, questions? Thank you very much, Mr. Roberts. Mr. Roberts said, thank you. Chairman Hair said, we appreciate your time. Thank you.

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VI. CHAIRMAN'S ITEMS

None.

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VII. COMMISSIONERS' ITEMS

1. PUBLICIST FOR THE COUNTY (COMMISSIONER JACKEL).

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, in the past I have asked that we have a publicist. I think our last meeting was an excellent example. We had --, the County Engineer Al Bungard gave a wonderful presentation of all the roads that we have under construction, the flood control projects that we have started and the various phases that have been completed, and the only way any one would know about it is if they were able to be here or catch part of the presentation on the local access TV station. It was not in any other media. We constantly have good information that the County is doing, how we're efficiently and effectively spending the taxpayers' money, how we're cutting costs, the wonderful things that are going on in this County are not getting out to the public. The newspaper and the media presents what they want to present when they want to present it. We have an opportunity, I've said repeatedly, with a publicist to get our side of the story, and we're not doing that. All sorts of organizations have publicists to get their side of the story out. When Commissioner Gellatly was with the police department, he had a publicist with him. The City has five or six people with them. I think we need at least one so we can tell not only what the County's doing, the good job that our County employees are doing. We had a thing a couple of months ago which through some innovative engineering a couple of our employees were able to save us substantial money. We've got a thing for information in this agenda book where we're saving I believe it's almost \$300,000 --. Pardon? Commissioner Murray said, 220. Commissioner Jackel said, \$220,000 for our new mulching project and picking up trash. We're saving that from our tipping fees. That information's not getting out. We're not connecting with the public enough

because they're not being informed on what we're doing up here, and we need someone to put this out. Virtually --, and I belong to I think just about every organization in this City and County at one time or another. They all have newsletters. We don't put out any information to the people we need to, and we need to report to our constituents, and a good publicist can help us do that, and that's what I want to propose this morning is that we hire someone, we get the information out, and we have a newsletter going.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I agree with what you're saying, but I think we already have that person in place with Pete Nichols, and I don't know how and to what degree he does that, but I think his job description can certainly be changed to handle more of what goes on if in fact we're not covering enough of it, but I do know Pete [Nichols] gets an awful lot to the news media that does go out, and I've seen several of these things. Now the one on the mulching machine, it was the first I read it when I read the memo a minute ago, but I do think we have a person in place that's capable of doing that. If we need to expand the recognition of his job, I think we can do that also.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I agree with everything that Mr. Murray said, and also the fact that as politicians we should make an effort to go out and have townhall meetings with our constituents as much as possible and share the good news with them. Obviously we're not doing that if we're talking about having a publicist today. When people run for office they always talk about, oh, we're going to have townhall meetings, et cetera, but this would be a golden opportunity for us to go out and spread the good news and share that information with the constituents and also the web page could be further developed more than it is right now. Pete Nichols does a great job with stuff on the access channel and the newsletter that's on the website is pretty good too. It just needs to be updated more frequently, but there's a lot of good information there. If we do this, we're not just hiring a publicist, we're adding health care costs, we're adding insurance costs, and they're going to want a phone, they're going to want a desk, they're going to want to have access to more County stuff. It ends up in more taxes for the people.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, I didn't run on a campaign of townhall meetings, but I'm going to get a little whack in right here. To everybody that's listening in the Second District, we have a Second District meeting every second Wednesday of every month. We also have several meetings within my neighborhood groups that I attend, so I would advise everybody here that --, the newly elected County Commissioners to look at maybe having a meeting or possibly attending those neighborhood meetings that they have because those are very vital groups that need information.

Chairman Hair said, I agree, Commissioner Rivers. I think we do have the system and the person in place, and I think if any --, we need, as Commissioner Rivers said, the meeting to expand [inaudible] or occasionally we might need to hire someone part time, but particularly paying them or something like that, but I think we definitely have the basic mechanism in place to do what you're suggesting, and I, you know, I would not support expanding to anything further than what we've got now.

Commissioner Jackel said, now it's not --, it's not --, it wasn't my intent to criticize Pete Nichols, but I have asked about this newsletter since he's been here. We do not have a newsletter. It is not intent to criticize him, but I spent an hour watching our channel this past weekend. We've had a new judge for about two months, she's not on that channel. We --, I watched what it talked about the Commission stuff. Well, it talked about not this last meeting, but the meeting before. There was nothing at all about this meeting, the highlights of this meeting on there. There were several things. He is busy with that channel and I think it --, that takes up most of his time. I think --, we had a publicist for a period of time, it didn't work out, but I really think there is a need. Now I hear what you're saying about townhall meetings. You know, I --, various people have tried them. The attendance is small at best. Now, when you can go to your neighborhood association meetings, then you do have attendance, but this is the way --, the mass media is the way to reach most of our people. There are all kinds of publications out there, *Savannah Connect*, *The Small Business Journal*, other publications like the Chamber of Commerce publication and others that if we get information to them, they would be glad to have it. They need things in their publications, and they would put that information out for us. Not everyone goes to these meetings. I would venture to say that no one has had a townhall meeting that they've ever had more than 20 people at. When you think of the numbers that we have in this County, the way to get to them is through the mass media and put that information out. It's not out there. You know, I mean, I'm proud of what we're doing, but we've got to get the word out, and it's not getting out. And this is not a campaign speech because, you know, I don't need it. I was just reelected. The time for campaign speeches is down in the future, but I felt in campaigning the people said we don't feel connected, we don't know what y'all are doing. We've got to get that word out, and it is not getting out. You might think it is, but it is not getting out. There's that old saying don't hide your light under a bushel.

Chairman Hair said, let me suggest something that --, why don't we do this, why don't I meet with Mr. Nichols and have him prepare a plan about how he might be able to expand or do other things and have him bring that back as a report to us and let's just see if that satisfies the issue and then --. Chairman Hair recognized Commissioner Gellatly..

Commissioner Gellatly said, I kind of agree that --, I see both sides of the coin here. On the one hand I'm not sure that we need to hire another body, but the other side is what I --, I think and I've found since I've been affiliated with the County, the

County indeed has competent staff, it has excellent programs that they're working on and excellent accomplishments, and I think the Commissioners by and large do a great job, but I'm not sure that we do in fact get that out to the public. I think that Pete Nichols is certainly in a position to help us on that, but I think that, certainly learning from what the City staff did, is the City staff was required to, in different departments, to determine who could write or best put together what is going on and then making sure that information is given to a person like Pete Nichols to intelligently distribute it through the media in any way shape or form, and it's certainly been my experience working with the news media that they tend to put out just exactly what they want and sometimes it's quite negative.

Chairman Hair said, so I will get with Pete [Nichols] and I will discuss this with him and have him prepare a plan to come back and make a presentation to us some time in the --. Commissioner Jackel said, my understanding in discussions with Pete [Nichols] before is that his expertise is in production. We're not talking about production, we're talking about --. Chairman Hair said, well, let's just see what he's --, let's just see his plan, let's look --, let him do something, address the issue, and see what he's got, and then if we want to expand it after he comes back, we have that opportunity at that time. Okay? Commissioner Jackel said, I'll go along with that.

ACTION OF THE BOARD:

Chairman Hair will meet with Pete Nichols to have him prepare a plan to be brought back for presentation to the Board with regard to getting information out about the many good accomplishments of the County and other items of interest concerning the County.

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2. ISLANDS LAND USE PLAN (COMMISSIONER MURRAY).

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I'd like to know if I can take these next two items in reverse order. Chairman Hair said, okay. Commissioner Murray said, the resolution first. Chairman Hair said, sure.

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[NOTE: At the request of Commissioner Murray, this item was discussed after discussion was concluded on Item VII-3.]

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, we had a meeting --, for those who didn't know, we had a meeting with the City Council, the County Commission and the MPC this past Tuesday --, no, excuse me, Wednesday, I believe, and I thought the meeting went real well. There was a lot of things discussed and we got some good ideas to start at least planning on redoing the zoning ordinances throughout the City and the County to try to make them more user-friendly where people can understand what they actually say and cut down on the amount of zones that we have. I got a memo that was given to me this morning that was dated back in October of '97. At that time the City had 42 zones and the County had 45. Now I think the City, if they said correctly, was about 68 and the County has 50-something zones in less than four years, a little over three years time. During this process they mentioned when MPC, one of the staff members was giving their presentation, they mentioned the Islands Land Use Plan, which has been something that has been needed for quite a while and has been in the works for some time, and it keeps coming up. He did say that he would have a draft of this plan within a week to two weeks at the most for the people involved and they would have a meeting to look at and go over that draft and then if everything's fine or if they need to make some changes on it, they would do that. I would think that we should have a copy of that plan back within probably two months from that date, would you think? I mean, if everything can be worked out with that, or sooner. Is someone from MPC here that could --? Chairman Hair said, I don't see anybody. Commissioner Murray asked, no one from MPC? Okay. What I would like to do, and we can call it whatever we want to, but since that plan is in the works and they have a draft just about ready, I would like to see us not accept any more permitting to any new development for a maximum of three months, and if the plan is approved sooner than that, then that would go away, but the maximum would be for three months. Now that's not talking about anything that's already been presented or anything that's already in the works right now. That would be any new development until this planning comes out, and if it goes over three months then we would not be able to keep it any longer than that. And the reason for that is that we've got a new Land Use Plan coming out and it's just about to the stage where it's complete, and I think we need to start going by that plan and utilizing what's in there even though we haven't gotten final approval on it, and I really do not believe that that's going to start any major development from taking place or put a hardship on anyone, and I would just like to ask --, I would like to make a motion that we do that for a maximum of three months or, if the plan is approved sooner, then it would be dropped at that point and we would be going by that new plan. Just for the Islands area where that Land Use Plan is being developed.

Chairman Hair said, I have a little bit of a problem with an absolute moratorium. I think we still have basically two opportunities to look at every situation on the first readings and second readings and if there's something comes up that might be a major variance from what we're doing, we have the opportunity to stop it at two levels. That's my personal feeling. I think --. Commissioner Murray said, I would disagree with that and the reason I do, the only time we would see it is in

fact it is a rezoning issue or a variance to a zoning, and that is the problem we're running into right now, and that's the purpose in doing a new Land Use Plan, and I think other areas in the County are doing the same thing, but that is the purpose in the Land Use Plan to plan for that particular area and how that area will be developed in the future. Chairman Hair asked, do we have a second to Commissioner Murray's motion? Commissioner Jackel said, I'll second that. Chairman Hair said, second. Any discussion before we vote on the motion? Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno asked, can we legally do this? County Attorney Hart said, I would want to look at the wording. You've got some limitation --, obviously have got limitations on absolute moratorium. You design them where you don't affect applications in process and it's for a definite period of time and for a specific reason. That puts you more in the area where you're more likely to be able to withstand challenges of that, but to give a definitive opinion on the exact wording of it, I'd need a --, more than just at this meeting to look at.

Commissioner Murray said, let me ask you this. Can you write it legally? I mean, I gave you a specific time and I gave you a specific reason. County Attorney Hart said, I just need to go back --. Commissioner Murray said, and I met all the criteria that you've said we had to meet. County Attorney Hart said, yes sir, but I was talking --. Commissioner Murray said, now the wording, I'm not an attorney, so --, and you are. That's what we pay you for. So I'm asking can you to word it? County Attorney Hart said, I can try to word something along those lines. I'm just saying that doing it right here in this meeting, no, I don't think I can do that. Commissioner Murray asked, all right, can you do it between now and the next meeting if we approve to go in that direction?

Chairman Hair said, well, before we do that though, before we put all the staff time in, let's make sure that's what the will of this Commission is. Let's take a motion on the vote [sic] first and then --, because there's no need to vote on --. If the motion fails, then he won't develop staff time to do it, so --, we have a motion and a second on the --.

Commissioner Jackel said, I would just like to say that if we had a Land Use Plan in, then we wouldn't be having the problem with the hammocks and the bridges that are going on. I mean, we're just not looking down the road. That thing --, that thing is just a total disaster that's going on there on devastation of marsh property and hammocks, areas that we need to preserve, and if we had a good Land Use Plan in place, we could prevent that sort of thing from happening.

Chairman Hair said, I'll recognize --, come forward please and state your name for the record.

Mr. Jack E. McCall [phonetic], Commissioners, thank you. I live on Whitemarsh Island, and to give you a little background, I lived in Clay County, Florida, for fifteen years and I was on the zoning board for nine years in the fastest growing County at the time in the State of Georgia, and we're running across the same thing here that we did there. We had two-lane roads in and out of the County, and they come along and they built the largest mall at the time right there. We had welfare, we had safety problems, we had traffic problems, and we're having them out on Johnny Mercer and U. S. 80 right now. I would like to pass out a hand-out here to you and just show you --, can I come around and give this --. Chairman Hair said, just pass it to the Clerk there please. Mr. McCall said, show you all the development that's going on or it's already been approved for that area. I can see two more curb cuts on Johnny Mercer, there's no --, let --, make a left turn in the work traffic going to or from, you're taking your life in your own hands. We've got, I think, 1,200 new apartment projects going in out there or have been, you can look at all the projects that are going. I noticed in the paper your meeting Wednesday. My interpretation is you've got a hodgepodge thing. A good basic --, basically it's a good planning document, but you've added to it, here, helter-skelter. You really don't know what you've got. In fact, a big item is to me, and I was shocked at a meeting we had out on the Islands which over a hundred people attended, that the Planning Commission had approved a nine-story apartment complex out on Bull River. Now that'll stick out like a sore thumb, and I don't think we have the fire facilities or police facilities to handle a nine-story apartment building. There's nothing out there that high. We have there at the --, as you come in on Wilmington Island, we have a Publix Store that went in within two miles of another Publix Store, we have the Enmark Station, and now we've got Walgreen's going in right across the street from another drug store, and we've got two lanes going in and all of a sudden that one lane is a right-turn lane so you lose one lane going through Wilmington Island. That's all you've got, one lane of traffic. Where I live at --, well, I don't live there, but the corner of Bryan Wood Road and Johnny Mercer, why can't we have a trip left-turn light? You've got the light right there and you've got a left-turn lane, but nobody --, it's heck to get across there. You go across Bryan Wood Road to U. S. 80, and I don't know what the story is, but you've got an overhead sign that says no right turn on red, but yet you've got a right-turn lane that says yield. Now if you can't turn right on red, what are you going to yield to? That's been there for years, and there's no traffic lights. I don't know what you're going to do with the hammocks. You've got the YMCA coming in there, you've got Johnny Mercer Place. I think we've got another 500-and-something apartments being build right now. That's a lot of people, plus we have three schools out there. The new school buses have to turn left across Johnny Mercer to and from in the morning and afternoon getting to the schools.

Chairman Hair asked, Commissioner Murray, do you have a question?

Commissioner Murray said, this list you gave us, you do understand if this motion does pass that it would not affect any of these. Mr. McCall said, okay. Commissioner Murray said, they are already in the works.

Mr. McCall said, well, that's what --, yes, there's nothing you can do about them, and all of you know that to deny a man the use of his property is a very thin line, it's a legal line, and we're not asking that. We're just asking you to slow it up and let's review the zoning classifications, the traffic situations, and get something done. Now I think we've gone for about six

months trying to get a light out there on U. S. 80, and it's not up there yet for that little mall we have out there. We just need --, I got 50 people who'll go along with this recommendation. Three months would be great. Chairman Hair said, okay, thank you, sir. We appreciate your comments.

Commissioner Rayno said, Mr. McCall has brought up a safety issue. He said he didn't know whether or not the fire company out there had the capacity to deal with a nine-story structure. Russ [Abolt], can you find the answer to that question? Mr. McCall said, that's Southside Fire Department and they have just bought a hood-and-ladder truck, but by the time they would get out to Bull River, a hook-and-ladder truck, it would be gone, and if anybody was upstairs and if it's a fire and anybody was upstairs and it's a fire and anybody's upstairs, they're trapped. By the way, one other thing, we have a definition out there of Wendy's being a sit-down restaurant. Now that is farfetched. That's making every, every fast-food as a sit-down restaurant including Sonics and Checkers, anybody. If they've got table and chairs, they're a sit-down restaurant, and that is ridiculous. I understand there's another or one that's already been approved, that's close to a Wendy's. Now that's going too far. The nine-story apartment building and Wendy's as being a sit-down restaurant, that's just not right.

Chairman Hair said, thank you, sir. We appreciate it. Okay, we have a motion and a second to --.

Commissioner Rayno asked, can we answer the question on the nine-story thing --, I mean, a safety issue was raised. I mean, people are going to want to know. Could we have an answer?

Commissioner Murray said, I'll tell you now there's not a fire engine in the Islands area that could take care of it. It would be one of those nozzle trucks, or whatever they call it, out from Montgomery Cross Roads. Is that where they have it? County Manager Abolt said, Jon [Hart] has more specific --. County Attorney Hart said, my understanding is Southside's currently got a contract for the purchase of aerial --, I don't know what they're called, but they've got a ladder with a hose on the end of it, that goes up fairly high. I don't know where they're going to place it

Chairman Hair said, we need to look into that though. I think it's separate from this motion. County Manager Abolt said, just so y'all know, MPC has every --, any development plan has to address that. Also, I think we can appreciate in parts of our County, also parts of our United States, buildings are much taller than fire apparatus. We must depend upon exitways, sprinkler system early warning. There's no way one could have available quick enough the type of apparatus that could deal with an emergency the type you described. There has to be prevention in anticipation of disaster in the actual structure.

Commissioner Murray asked, Russ [Abolt], was that approved by MPC because there's nothing in the ordinance that restricts heights? County Manager Abolt said, sir, I'll have to [inaudible]. I can't answer it [inaudible].

Commissioner Odell said, call for the question.

Chairman Hair said, okay, we have a call for the question. Commissioner Rayno asked, can we just clarify this, what's going to happen? If we do this today, we're just instructing Mr. Hart to come up with the wording? Commissioner Murray said, to come back in two weeks and bring it back to us. Chairman Hair said, for a three-month moratorium. Commissioner Odell said, just for the Islands. Chairman Hair said, yes. Commissioner Murray said, maximum of three months just for the area that the Land Use Plan would involve, but if the Land Use Plan is approved before the time, of course, that would come off.

Mr. Richard Parker asked, may I speak to this same subject. I'm Richard Parker. I live on Whitemarsh Island. I've been living there about seven years, and I think I have some points that are appropriate to what Mr. Murray has presented. I know that at this point on both Whitemarsh and Wilmington and the Islands, were getting to the point where construction is limited. There are only a few sites left, and these sites are the controversial sites. These are the sites that have problems, and these are the ones that are getting now, under the present zoning, under the wire and are not --, we don't have apparently the ability to consider those carefully enough to pick up these problems. There's going to be a point at some time not too far in the future that the Islands will not have any more developable land so we're not faced with a moratorium on building, there's going to be an end to building, and --, unless we're going to allow people to build out into the water because property is getting very limited out there. We have new zoning guides that have been in the works for years. The Island Land Use Plan I had a little bit working on that, and a lot of people have helped on that. It would certainly be to our advantage to give some time to get that implemented so it would better control the development on these controversial areas that have different types of problems than normal land use. I think there's been a couple of examples of this, and they were mentioned earlier. I have been to the MPC meetings on the Walgreen's when the general development plan was presented, and I thought at that time it was dead. They had serious drainage problems, they had site problems, and so from what I knew, they were not going to construct there. Well, I don't know what happened. I didn't see any notice of the specific development plans. I'm sure they had them, but suddenly they're building, and to my knowledge the drainage problems, especially the run-off into the Wilmington River, has not really been answered, and I'll get to that kind of a problem in a minute. And, of course, there's the Wendy's, which has upset the people on the Islands considerably. Some of us, and I'm a member of the Islands Citizens for Limited [sic] Growth, and we assisted the developer on that initially on a promise that, yes, we're going to have a sit-down restaurant, and the zoning allows a sit-down restaurant, but it does not allow a drive-through, and that was the way it went before the MPC and that was what was approved. However, somewhere there was a major change in the application. It was --, essentially should have come back and gone through a new general development approval, but it didn't, and the site plan was changed and a drive-through restaurant was added, which is not

allowed, but it was called a sit-down, but they're putting a drive-through window on the Wendy's, and that will bring all the problems of any drive-through and also will set a precedent. And they also have a drainage problem from their parking lot that to my knowledge and my believe has not been settled. Like the Wendy's situation, developers will start with a very good presentation that doesn't require any variances and so, therefore, it will go right through, and somehow later they can switch their plans and a specific development level or whatever, and end up with things that initially would either have been looked at a lot more closely or would not have been approved, and the citizens have no way to fight this. We don't have the lawyers, we don't have the people that are experts on the fine print of the language, and suddenly when we think we have got some kind of control of development, it turns out, no, we didn't have any control. It's to the developers advantage to make their applications early and get it down on paper what they're going to do before new zoning land use plans are developed. An example of that, I live in Battery Point Plantation, and the developer, Great American Builders, platted six sections back in 1988, but the public didn't know anything about it. They developed that one section at a time, and the early sections were developed with the idea put out, I don't know by who, that the rest were going to be bird sanctuaries and trees were not going to be cut down. It didn't turn out that way. Ten years later they were building the last section and they were grandfathered against all the changes like sidewalks and different setbacks, better drainage, because they had got it platted back in '88, and the one thing that area especially could have used sidewalks. Another example is the Town Center Shopping Development. Here I'm pointing out what happens on drainage plans. The Battery Point Plantation has a series of lagoons that are its high water drainage system and they work fairly effectively. However, we're picking up a lot of trash from Town Center. I just yesterday picked a McDonald's ball out of my lagoon on Mapmaker. Now I don't think any kid from McDonald's came around to those lagoons and pitched that ball in. It came through the drainage system over the last year when we had a heavy rain that washed water off the roads, the parking areas, into the drains. Now most of that parking lot of the town Center is supposed to drain into Richardson Creek, but they have an overflow to the east side that goes through some type of a catch pit, but apparently it doesn't always work because we do get trash, building trash, fast-food container trash and all that have sat in the water for a while. They're not fresh, they're not tossed by cars going by on Mapmaker Road - Lane. So these drainage problems are there, and when we get three or four inches of rain in an hour, these things show up, and this is where our lagoons, our rivers, our marshes, are getting polluted. Another problem that we have, which is a drainage problem, the Savannah Sewerage Lift Station there on Whitemarsh just across from the fire station, last year it had a power failure and wastewater started pumping out supposedly into the creek away from there, but we actually had water flowing down Binnacle Creek, or Binnacle Drive, and Crossover Lane, coming up out of the manholes and coming down our streets, the wastewater, and it flowed into the street drains which drain into our lagoons, which then drain eventually into the marsh over by Johnny Mercer, and so that's a drainage problem that apparently was overlooked and that our manhole covers are lower than what they thought. I agree with Mr. Murray. It's time to call for a moratorium on building zones even though we've got a lot in the works and we actually as citizens have no idea how much is in the works, who has applied for what, but I think it's time to call a halt and reflect on the needs of the people who live there, and so codify the new zoning guides, the Land Use Plans, and implement them -.

Chairman Hair said, sir, not to interrupt you, but we -, Commissioner Odell just reminded me he did call for the question and if he's not willing to withdraw that call for the question, that cuts off debate, so -. Are you willing to withdraw your call? Commissioner Odell said, I'll withdraw -.

Mr. Parker said, I am through, and I appreciate that. I did not mean to step on your -.

Chairman Hair said, I'm just -, I'm trying to be fair, but a call for the question really does, you know, it is a call for the question and that's the way we operate. Mr. Parker said, thank you. I know, Ms. Thompson, you'd like to [inaudible], but we've had a call for the question. All those in favor of the three-month moratorium vote yes, opposed vote no. Commissioner Odell said, this will be just for Frank's [Murray] district. Commissioner Murray said, just for the area that the Land Use Plan affects. Commissioner Rayno said, we're not approving this, we've got to come back. County Attorney Hart said, just for the language development. Commissioner Odell said, I'm not clear on the motion and I don't think Rayno is either. Commissioner Murray said, the motion is that this goes to Jon Hart to put the legal wording in that brings it back to us at the next meeting and we will vote on that final approval at the next meeting. Commissioner Rayno asked, so if we find out it's not legal, we could vote against it? County Attorney Hart said, correct. Commissioner Odell said, we are not approving this -. Commissioner Murray said, just giving him direction. County Attorney Hart said, you're just instructing me to try to come up with language for a moratorium -. Commissioner Murray said, based on the issues that I brought up. County Attorney Hart said, that does what Commissioner Murray has asked. Commissioner Odell said, and this is not an approval. County Attorney Hart said, yes sir. You could direct staff to do that and I could do that.

Chairman Hair asked, does everybody understand the motion? Commissioner Murray said, the motion's already passed so -. Commissioners Rayno, Rivers, Jackel, Murray, Odell, Kicklighter and Thomas voted in favor of the motion. Chairman Hair voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Gellatly was not present.] Chairman Hair said, the motion passes. Thank you.

ACTION OF THE BOARD:

Commissioner Murray moved to direct the County Attorney to review a request for a three-month moratorium for the area that will be affected by the Islands Land Use Plan and bring back appropriate wording for a motion to be considered at the next meeting of the Board of Commissioners. Commissioner Rayno seconded the motion and it carried unanimously.

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3. RESOLUTION TO SUPPORT TYBEE NORTH BEACH RENEWAL (COMMISSIONER MURRAY).

[NOTE: At the request of Commissioner Murray this item was taken out of order and was discussed prior to discussion on Item VII-2.]

Commissioner Murray said, several weeks ago, I guess two weeks ago this coming Saturday, I was invited to Tybee to sit in on one of their meetings about the North Beach renourishment and there were a number of people there. We had someone from our Engineering Department, we had people from Jack Kingston's office, the Corps of Engineers, and several others, and out of that they're trying to get some funds that were left over from the original renourishment, I think it was about \$400,000 that were left in that that were not used, to be utilized on the North Beach, which was left out of the beach renourishment when it took place. I'm not asking for funds. What I would like to do is get approval from the Commission for staff to get in touch with Mayor Parker at Tybee with all the details in it and do a resolution to support their efforts in trying to work with Jack Kingston's office and several other people to secure the funds and to go ahead and do that. I think we've probably seen several articles in the paper this week about it also.

Chairman Hair asked, do you make that as a motion? Commissioner Murray said, I'll move that we -. Commissioner Odell said, I'll second it. Chairman Hair said, second. All those in favor of the motion vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, thank you very much.

ACTION OF THE BOARD:

Commissioner Murray moved that staff contact Mayor Parker at Tybee to get all the details regarding renourishment of the North Beach to enable staff to draft a resolution in support of their efforts to obtain funds for the North Beach renourishment. Commissioner Odell seconded the motion and it carried unanimously.

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CHATHAM AREA TRANSIT AUTHORITY

The Board recessed as the County Commission at 9.55 a.m., and reconvened as the Chatham Area Transit Authority.

The Chatham Area Transit Authority was adjourned and the Board reconvened as the County Commission at 12:15 p.m.

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VIII. TABLED/POSTPONED ITEMS

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

- 1. 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.)**
Tabled at meeting of January 26, 2001.
[DISTRICTS 6, 7 and 8.]

ACTION OF THE BOARD:

This action was not placed before the Commissioners for consideration.

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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 \$10,090 IN REVENUE FROM THE CLERK OF SUPERIOR COURT AND APPROPRIATE \$10,090 TO CLERK OF SUPERIOR COURT FOR SALARY ADJUSTMENTS TO REORGANIZE HER DEPARTMENT; A MULTIPLE GRANTS FUND BUDGET AMENDMENT TO ACCEPT RENEWAL OF A \$50,000 CRIMINAL JUSTICE COORDINATING COUNCIL GRANT FOR THE DISTRICT ATTORNEY'S OFFICE; TRANSFERS TOTALING \$64,000 FROM CONFISCATED FUNDS CONTINGENCY TO THE COUNTER NARCOTICS TEAM FOR PURCHASE OF EQUIPMENT; A TRANSFER OF \$275,920 FROM THE SPLOST 1993-1998 RESERVE FOR SPECIFIED PROJECTS TO POOLER PARKWAY; A TRANSFER OF \$18,000 FROM THE 1985-1993 RESERVED FOR VARIOUS COUNTY ROADS TO THE HERTY FOUNDATION PROJECT; A TRANSFER OF \$6,840 FROM SPLOST 1998-2003 CONTINGENCY TO THE DEMERE PROPERTY ACQUISITION PROJECT; AND A SPECIAL SERVICE DISTRICT CONTINGENCY TRANSFER OF \$7,500 FOR TRANSFER TO THE SOLID WASTE ENTERPRISE FUND.**

Chairman Hair said, I'll entertain a motion to approve. Chairman Hair recognized Commissioner Murray. Commissioner Murray said, I'll make a motion, but I've got a question on two items. Chairman Hair said, okay, motion to approve. Do I have a second? Commissioner Rayno said, second. Chairman Hair said, okay, Commissioner Murray.

Commissioner Murray said, Russ, on the last two items, the one about \$6,840 in the Contingency for the Demere property we purchased –. County Manager Abolt said, tax bill, taxes. Commissioner Murray said, I know that, but let me finish. County Manager Abolt said, pardon me. Commissioner Murray said, I read the writeup on it, and I see where it's a tax bill, but why are we liable for that tax bill when it was something that was before we closed the property out if I read it right. County Attorney Hart said, we prorated the taxes and they –, in the closing statement so that each portion would pick up what, and we're only paying that portion that we're responsible for. Commissioner Murray said, but we don't pay taxes on property. County Attorney Hart said, yes, you do during the calendar year in which it's held in private hands. It'll become exempt the next year. It'll go from that to the next year. If we acquire it, the tax bill, it's got to come from somewhere, and our contract said that basically the Demeres would pay taxes up through the date they owned the property, and then when the County gets it, we've got to pay the remainder of that year. Essentially, we're paying ourselves, which doesn't make sense, but it's the only way to get it off the digest from the Tax Commissioner.

Commissioner Murray said, the last item on there, \$7,500 transfer from Special Service District that will go into the Solid Waste Enterprise Fund, don't we have certain restrictions to that enterprise fund and on that enterprise fund isn't there supposed to be ample funds in there for this type thing? County Manager Abolt said, it's a mixture of what we have available for closure and post-closure and then the needs over and above that, so –. The same question was asked of Mr. Persaud. This is the one source of revenue we have readily available. The other funds have been obligated. Commissioner Murray said, okay.

Chairman Hair said, okay, Commissioner Odell.

Commissioner Odell said, just a question regarding the Clerk of Superior Court that's \$10,090. Chairman Hair said, Susan [Prouse], would you like to come forward and –. Ms. Susan Prouse said, good morning. How's everybody. Chairman Hair said, good morning. Commissioner Odell said, good morning. Chairman Hair said, actually, good afternoon, but that's

okay. Ms. Prouse said, I know it. This money –. Commissioner Odell said, just a point of clarification. The \$10,090 was used for a reorganization of a department. Ms. Prouse said, yes, that's correct. The judges had decided just a couple of months ago to return the file division of Case Management back to the Clerk, which by law it's my responsibility anyway. It changed back in the 80's, so I had to establish a new department and I used personnel that we have now, reassigned some duties and these monies come from the State, from the deed processing that we do. It's a voluntary type thing and we saved the County about \$150,000 this year because of our contract with the State and processing of signing of the deeds to the State network, so this is non-County money. We just want to be able to use \$10,000 of it to put the personnel in the position they should be and to pay them the salary they should be making as Case Managers. Commissioner Odell said, this is a salary increase for certain people because of the reorganization. Is that true? Ms. Prouse said, correct. Yes sir. Commissioner Odell asked, is this consistent with the salary plan? County Manager Abolt said, yes, in fact she's doing through this more than normally could be done, and my understanding is that she's coming fairly close to meeting all the obligations as cited by the compensation consultant. Commissioner Odell said, so I –. County Manager Abolt said, it's a win/win. Commissioner Odell said, it's a win/win recommendation. I compliment Susan [Prouse] on that, but my concern is, and it predates Susan [Prouse], is that at some point we created a Case Management which put nine or ten people –. Is that true? Ms. Prouse said, that is correct. Commissioner Odell said, and now those people are being merged back into your place. Ms. Prouse said, no, no, they're not. Those –, the people that were working for Danny DeLoach, Court Administrator, will still be working for him. I am managing the files now and I have four people that are doing the data entry and we are now responsible for files like my –, according to Georgia Code I am supposed to be responsible for. This duty has been returned to me, but I am using the existing people. Commissioner Odell asked, what do those other people do now? Ms. Prouse said, I can't speak for the Court Administrator, but it's my understanding the judges have other plans for the court administrators and that they will not only be managing criminal cases as far as court assignment. They'll also be giving court assignments for –, scheduling court assignments for civil and domestic also. Commissioner Odell said, [inaudible] concern, I won't be a Martin Jackel on this, I won't belabor it, and I said that previously, Martin [Jackel] is of at least the top five of my favorite people on the Commission. Chairman Hair asked, top five or top eight? Commissioner Odell said, eight. Chairman Hair said, eight. Okay, but it's not a –. Commissioner Odell said, you have gotten the files back, which is your authority by Code. Ms. Prouse said, correct. Commissioner Odell said, which means either you're using those people to do whatever they were doing or you're not, and in your case you said you're not. Ms. Prouse said, I am not using any personnel from the Court Administrator. Commissioner Odell said, okay. Then my concern is that we have some people floating out here that someone else is making a decision that they will either create or redirect their energy, and my concern for that is that should be something that we should decide. If they want to do it, then let them do it through whatever route they choose to do it, but we've got some people who now we haven't decided what they're going to be doing and somebody else is going to make that decision.

Chairman Hair said, can I –, I think you've got a great point, Commissioner Odell. Could we have –, have contact to Mr. DeLoach and have him come to the next meeting and explain that. I think that would be –. Commissioner Odell said, I think that would be good, and I'd like to have that filtered with Mike Kaigler and also a necessity. You know, on our side of the house we are –, we cut to death, but on the courthouse side of the house, they've not cut to death. This is an opportunity that we might be able to make an adjustment, and I'm not saying this to get on the wrong side of any judge, but I don't want any judge to get on my wrong side either. Commissioner Murray said, yes, but he still has the final say-so when you're in his court. Commissioner Odell said, no the Court of Appeals has that. I don't go in courts without records.

Chairman Hair said, okay, we'll have Mr. –. I think that's a very good point that you raised. We'll have Mr. DeLoach come at the next meeting and put that under –. Why don't we just put it under Commissioners' items, and put it under Commissioner Odell's –. Okay? Commissioner Odell said, that's good. Chairman Hair said, all right, we have a motion and a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved to approve the following: a General Fund M & O budget amendment to recognize \$10,090 in revenue from the Clerk of Superior Court and appropriate \$10,090 to Clerk of Superior Court for salary adjustments to reorganize her department; a Multiple Grants Fund budget amendment to accept renewal of a \$50,000 Criminal Justice Coordinating Council grant for the District Attorney's Office; transfers totaling \$64,000 from Confiscated Funds contingency to the Counter Narcotics Team for purchase of equipment; a transfer of \$275,920 from the SPLOST 1993-1998 Reserve for Specified Projects to Pooler Parkway; a transfer of \$18,000 from the 1985-1993 Reserved for Various County Roads to the Herty Foundation Project; a transfer of \$6,840 from SPLOST 1998-2003 Contingency to the Demere Property Acquisition project; and a Special Service District contingency transfer of \$7,500 for transfer to the Solid Waste Enterprise Fund. Commissioner Rayno seconded the motion and it carried unanimously.

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- 2. PRESENTATION ON PROPOSAL TO LICENSE BUILDING CONTRACTORS STATE-WIDE AND OTHER ITEMS. NOTE: HOME BUILDERS ASSOCIATION CANNOT BE PRESENT AND HAVE REQUESTED DELAY UNTIL THE 23RD OF FEBRUARY. STAFF WOULD LIKE SOME ACTION TODAY SO THAT WE CAN SEEK LEGISLATIVE SPONSORSHIP AND FINAL ACTION DURING THE CURRENT STATE SESSION.**

Chairman Hair said, I'd like to state up-front that I personally think we should table this until the 23rd meeting. The attorney just got through with the draft on Monday. The Homebuilders have also requested, they've not had a chance to look at this, they'd like to be able to --, couldn't be here today, and I understand the concern of staff that if we delay it to the 23rd, it's possible that it wouldn't be addressed at this session, but I just think it's important that, you know, they haven't even seen what the attorney has written, and also we've had a request from a citizens' group they'd like to come talk to this, and I think delaying it to the 23rd would be the right thing to do.

Commissioner Jackel said, let me see if I understand this right. You want this so we'll have ample opportunity for discussion. Chairman Hair said, absolutely. Commissioner Jackel said, okay. Chairman Hair said, I know you're going to do that anyway.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I'll make a motion that we table this until the 23rd. Chairman Hair said, I have a motion. Do I have a second? Vice Chairman Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rayno, Rivers, Jackel, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of eight to one. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to table until the meeting of February 23, 2001, presentation on a proposal to license building contractors state-wide and other items. Commissioner Thomas seconded the motion and it carried unanimously.

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3. REQUEST BOARD TO PROVIDE CONCEPTUAL APPROVAL FOR A PLAN TO FUND THE EXTENSION OF THE RIVERWALK AROUND SLIP 1 ON HUTCHINSON ISLAND.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, yes, Dr. Hair, Dr. Thomas, gentlemen, this is consistent with direction given in past meetings of this Board wherein you wished us to be creative and supportive of plans to extend the Riverwalk along Hutchinson Island into an area referred to as Slip 1. This project in its initial stages was discussed with private interest groups as well as Mr. Triplett and Mr. Coleman from GDOT. There's a great deal of interest in this on the GDOT side of it. Mr. Hart in my estimation has done an excellent job in his review of options available in finances that we're asking for your conceptual okay so we can go to the State and in effect say we're still in the hunt. We wish them to commit their necessary monies and with, again, the review of the attorney, we've identified a source of SPLOST money, which Other Capital Outlay in the current entitlement period.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Rivers said, so moved. Commissioner Thomas said, second. Chairman Hair said, Commissioner Rayno has a question.

Commissioner Rayno said, I'd just like to make a comment that if you're going to vote on this SPLOST money and when you went out and got these people to vote on this SPLOST issue you said drainage would be your first issue of concern until you finished drainage projects. We're still in the scope of doing these drainage projects. We don't know what difficulties we're going to find in the future, and if you spend this money today, \$3 million, and later on down the road you're going to say, oh, we ran out of money for the drainage plan. You didn't finish the drainage plan yet. As a matter of fact, we haven't had many discussions about it. Chairman Hair said, all the money that is designated for drainage has a firewall built around it and will not be used in any way. It does not in any way jeopardize the drainage program. Commissioner Rayno said, I'm sure, but what I'm saying is time goes on, things get more expensive, you might need more money. This money that we're going to spend today falls into the category that it could be used towards drainage projects, and if you spend it, you're not doing drainage first like you promised the people, and they'll remember that the next time you want more SPLOST money.

Chairman Hair said, okay, I have a motion and a second to approve. All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Jackel, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of eight to one. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Rivers moved to authorize staff to proceed with applying for the funding for the extension of the Riverwalk around Slip 1 on Hutchinson Island, which would include approval of amending the five-year CIP to include this project, and funding from the 1998-2003 one percent SPLOST, "Other Capital Outlay," would be encumbered in the amount of \$2 million for this project. Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Rivers, Jackel, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of eight to one.

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4. PUBLIC HEARING REGARDING MARKING OF COUNTY VEHICLES.

Chairman Hair said, this is a requirement of State law. This actually is somewhat misleading the way it's on the agenda because what it really is is a public hearing about unmarked vehicles. The law requires that if you designate any vehicles that are unmarked, you have to have a public hearing for that purpose, and so I will now open the public hearing concerning the marking of County vehicles. Do we have anyone that would like to speak to this issue for the public? [No one responded.] Chairman Hair said, hearing none, I hereby declare the hearing adjourned. Thank you.

County Manager Abolt said, Mr. Chairman, just for perfecting your record, you will enter into the record the request from each of the departments as contained in the staff report. Chairman Hair said, thank you.

ACTION OF THE BOARD:

A public hearing was held, as required by O.C.G.A. § 35-80-28, to permit vehicles 409 (Inspections), 535, 538 and 539 (Tax Commissioner) to be operated without permanent Chatham County decals displayed.

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X. ACTION CALENDAR

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

Chairman Hair asked, does anybody want to pull anything off the Action Calendar. It's 12:30, Martin [Jackel]. How much are we -? Commissioner Jackel said, I went over it. It looks in order to me. Chairman Hair said, oh, my goodness. Commissioner Murray said, well, I'm going to pull some. Chairman Hair recognized Commissioner Murray. Commissioner Murray said, 5. Chairman Hair said, all right. Commissioner Murray said, 13. Commissioner Thomas asked, 13? Chairman Hair said, yes. And -, that's it? And Dean [Kicklighter] wants to pull -. Commissioner Kicklighter said, 12. Chairman Hair said, 12, okay. All right.

Commissioner Odell said, I move for approval of the balance. Commissioner Thomas said, second. Chairman Hair said, I have a 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 Odell moved that the Action Calendar be approved in its entirety with the exception of Items 5, 12 and 13. Commissioner Thomas seconded the motion and it carried unanimously.

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

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1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON JANUARY 26, 2001, AS MAILED.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the minutes of the regular meeting on January 26, 2001, as mailed. Commissioner Thomas seconded the motion and it carried unanimously.

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JANUARY 18 THROUGH JANUARY 31, 2001.

ACTION OF THE BOARD:

Commissioner Odell moved that the Finance Director is authorized to pay claims for the period January 18, 2001, through January 31, 2001, in the amount of \$2,199,381. Commissioner Thomas seconded the motion and it carried unanimously.

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**3. REQUEST FROM GRACE CHURCH OF THE ISLANDS FOR THE COUNTY TO DECLARE THE THIRD STREET RIGHT-OF-WAY ON WILMINGTON ISLAND OFF OF CONCORD ROAD ACROSS FROM THE COUNTY LANDFILL AS SURPLUS AND TO QUITCLAIM THE PROPERTY.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request from Grace Church of the Islands for the County to declare as surplus and to quitclaim the Third Street right-of-way on Wilmington Island off of Concord Road across from the County Landfill, the fair market value to be determined by a certified appraiser, and the petitioner will be responsible for providing the necessary appraisals, deeds and accompanying plats at its expense. Commissioner Thomas seconded the motion and it carried unanimously.

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- 4. **REQUEST FROM ENGINEER REPRESENTING THE DEVELOPER, THAGGARD ENTERPRISES, INC., FOR THE COUNTY TO RECORD THE SUBDIVISION PLAT FOR SWEET BAILEY COVE, PHASE 2. [DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request from the engineer representing the developer, Thaggard Enterprises, Inc., to record the subdivision plat for Sweet Bailey Cove, Phase 2, to accept the financial guarantee, and to approve creating a new streetlight district. Commissioner Thomas seconded the motion and it carried unanimously.

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- 5. **REQUEST FROM ENGINEER FOR THE DEVELOPER, CIRCA PROPERTIES, INC., FOR THE COUNTY TO RECORD OLDE TOWNE PLACE, PHASE 4. [DISTRICT 4.]**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, the only problem I have with this is I want to make sure that they repair the curb that was broken on the access they were using to get to that construction site before they were made to put up the barriers. That curb was broken and before that's approved I think that needs to be fixed or we need to have some way to make sure they fix it.

Chairman Hair said, I'll entertain a motion to approve with that caveat. Commissioner Murray said, I move approval. Commissioner Odell said, second. Commissioner Murray asked, are we okay with that? County Manager Abolt said, yes sir. Mr. Bungard is shaking his head yes. Chairman Hair asked, Al [Bungard], you okay? Okay. Commissioner Jackel said, let's make that part of your motion then. Chairman Hair said, it's with the caveat. 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 request from the engineer for the developer, Circa Properties, Inc., for the County to record the final plat of Olde Towne Place, Phase 4, and to accept the financial guarantee, with the caveat that the broken curb will be repaired prior thereto. Commissioner Odell seconded the motion and it carried unanimously.

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- 6. **REQUEST FROM SOUTHEAST BUILDERS, THROUGH THEIR AGENT, FREEMAN AND VAUGHN ENGINEERING, FOR THE COUNTY TO RECORD THE FINAL PLAT FOR HENDERSON TOWNHOMES, PHASE 2. [DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request from Southeast Builders, through their agent, Freeman and Vaughn Engineering, for the County to record the final plat for Henderson Townhomes, Phase 2. Commissioner Thomas seconded the motion and it carried unanimously.

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- 7. **REQUEST BOARD APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF POOLER AND CHATHAM COUNTY FOR RELOCATION OF WATER LINES AND A FORCE MAIN IN THE AMOUNT OF \$275,913 FOR POOLER PARKWAY, PHASE II AND TRANSFER THE NECESSARY FUNDS FROM SPLOST 1993-1998, RESERVE FOR SPECIFIED PROJECTS. (NOTE: SEE ITEM IX-1 FOR TRANSFER.) [DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve an agreement between the City of Pooler and Chatham County for relocation of water lines and a force main in the amount of \$275,913 for Pooler Parkway, Phase II, and transfer the necessary funds from SPLOST 1993-1998, Reserve for Specified Projects.. Commissioner Thomas seconded the motion and it carried unanimously.

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- 8. REQUEST BOARD APPROVAL OF A MODIFICATION IN LANGUAGE OF THE EXISTING PUBLIC WORKS ASSISTANCE POLICY RELATING TO PROVIDING AND DELIVERING OF CHIPPED MULCH MATERIAL TO OTHER PUBLIC AND PRIVATE NON-PROFIT AGENCIES AND ORGANIZATIONS.
[ALL DISTRICTS.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve a modification in language of the existing Public Works Assistance Policy relating to providing and delivering of chipped mulch material to other public and private non-profit agencies and organizations. Commissioner Thomas seconded the motion and it carried unanimously.

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- 9. REQUEST BOARD APPROVAL TO ACCEPT A RENEWAL OF THE CRIMINAL JUSTICE COORDINATING COUNCIL FOR A "STOP VIOLENCE AGAINST WOMEN" GRANT, AND TO AMEND THE MULTIPLE GRANTS SPECIAL REVENUE FUND FOR THE AMOUNT OF THE GRANT AWARD.**

ACTION OF THE BOARD:

Commissioner Odell moved to accept a renewal of the Criminal Justice Coordinating Council for a "Stop Violence Against Women" Grant, and to amend the Multiple Grants Special Revenue Fund for the amount of the grant award. Commissioner Thomas seconded the motion and it carried unanimously.

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- 10. REQUEST APPROVAL TO CONVEY BY QUITCLAIM DEED REMNANT OF PARCELS 28R THROUGH 33R, WHEATON STREET WIDENING PROJECT, CHATHAM COUNTY, GEORGIA, TO THE SAINT PAUL MISSIONARY BAPTIST CHURCH.
[DISTRICT 2.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the conveyance by quitclaim deed to St. Paul Missionary Baptist Church remnant of Parcels 28R through 33R, Wheaton Street Widening, Chatham County, Georgia, in the amount of \$35,000. Commissioner Thomas seconded the motion and it carried unanimously.

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- 11. REQUEST BOARD APPROVAL FOR THE COUNTY TO QUITCLAIM REMNANT ON THE TRUMAN PARKWAY ADJACENT TO THE HILLCREST CEMETERY TO ECI CEMETERY SERVICES OF GEORGIA, INC., F/K/A MLI/THE LOFTIS CORPORATION F/K/A MCNEIL LOFTIS, INC.
[DISTRICT 2.]**

ACTION OF THE BOARD:

Commissioner Odell moved to convey by quitclaim deed a remnant of land designated a permanent easement tract #1 containing 3,915 sq. ft., and permanent easement tract #2 containing 101 sq. ft., on the Truman Parkway adjacent to the Hillcrest Cemetery to ECI Cemetery Services of Georgia, Inc., f/k/a MLI/The Loftis Corporation, f/k/a McNeil Loftis, Inc. Commissioner Thomas seconded the motion and it carried unanimously.

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12. REQUEST BOARD APPROVAL OF FINANCE AGREEMENT AND LEASE WITH AIRPORT COMMISSION TO FINANCE NEW MOSQUITO CONTROL FACILITY.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. I really want debate on this item. I just wanted to pull it off where my vote can go on record.

Chairman Hair said, okay. I'll entertain a motion to approve. Commissioner Odell said, I move to approve. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Jackel, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of eight to one. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved to approve a finance agreement and lease with the Savannah Airport Commission to finance the new Mosquito Control facility. Commissioner Thomas 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.

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13. REQUEST FOR NEW BEER, WINE AND LIQUOR POURING LICENSE FOR 2001. PETITIONER: NANCY LUCKEY, D/B/A DOC & BENNIE'S, LOCATED AT 216 JOHNNY MERCER BOULEVARD. [DISTRICT 4.]

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, the only reason I wanted to pull this is, one, to apologize to her for having to sit through this long a meeting to get to this one item. Normally, most people that have petitions like that don't show up for meetings. The other was that this is one project that goes to prove that when in fact Inspections, Engineering and the County staff goes out and meets on a site rather than just look at maps, they can see things differently and everybody can work through a problem and make the citizen happy and they can go ahead and commit to do what they intended to do. I would move for approval. 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.

ACTION OF THE BOARD:

Commissioner Murray moved to approve the petition of Nancy Luckey, d/b/a Dock & Bennie's, located at 216 Johnny Mercer Boulevard, for a new beer, wine and liquor pouring license for 2001. Commissioner Thomas seconded the motion and it carried unanimously.

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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. Change Order No. 2 to the design contract for the widening of Whitfield Avenue and Diamond Causeway to evaluate the impacts on Wormsloe and provide evaluation options for avoidance of historic properties on Whitfield Avenue.	SPLOST	Thomas and Hutton Engineering	\$56,283	SPLOST (1993-1998) - Whitfield Avenue and Diamond Causeway

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
B. Change Order No. 1 to the design contract of Abercorn Intersection Improvements at Apache, Largo, Tibet, Oglethorpe Mall and DeRenne Avenue for additional environmental documentation, conceptual planning and database preparation	SPLOST	EMC Engineering	\$41,250	SPLOST (1993-1998) - Abercorn Safety Project
C. Contract for paving a portion of the Herty Foundation property	SPLOST	Carroll and Carroll	\$80,210.25	SPLOST (1985-1993) - Reserve for various Road Projects (pending transfer). (The County will be reimbursed by Herty Foundation for all cost incurred.)
D. Rental agreement to provide office space in the trailer adjacent to Juvenile court	Juvenile Court	Family Reconstructions/SOAP	\$32 per month	Revenue Producing
E. Confirmation of sole source contract to provide engineering services to control methane releases at Wilmington Island, Chevis and Thomas Landfills	Solid Waste Management	Hodges, Harbin, Newberry and Tribble, Inc.	\$31,804	Landfill Post Closing, Solid Waste Management Fund - \$24,304; SSD Contingency Transfer (pending approval) - \$7,500

ACTION OF THE BOARD:

Commissioner Odell moved to approve Items 14-A through 14-E, both inclusive. Commissioner Thomas seconded the motion and it carried unanimously.

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XI. FIRST READINGS

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

None.

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XII. SECOND READINGS

- 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 said, I'm going to recognize Mr. Barras, who is in this business, and I think he has some very good information for us to consider. Chairman Hair recognized Mr. Barras.

Mr. Rudy Barras said, Dr. Hair, Commission members, I will be very brief. You have come up with an ordinance,, someone has here, governing coin-operated amusement machines. I have been in this business since 1952. Never have I seen an ordinance like this anywhere. You stipulate in here --, we realize there's a little bit of a problem out of people out of South Carolina coming over here. They own nothing, a truck, and they want to do business and they do not care to adhere to the

past laws and practices to be used in Chatham County. Now you start in here –, you did an ordinance of 14 pages when this problem could be taken care of with probably a two paragraph ordinance. In the present ordinance, having been in business since 1952, 95% of my business will be destroyed. You come in here about children, people under 18 years old playing amusement machines. Have you ever been in a Chuck E. Cheese's, in a bowling alley? Redemption type of equipment. Go in a Kroger Store, or Piggly Wiggly, Carey Hilliard's, and I'm going to bring up one that's not an account of mine. There's a little lounge and restaurant out at Sandfly. The Isle of Hope people all go over there. They go over there because they eat, they give their kids a couple of bucks and it gets them out of their hair while they can sit down and comfortably enjoy their meal. We talk about location and close to a school. I am building a 22 –, over 22,000 square foot recreation center in Savannah right now. It is close to a school. Under an ordinance like this I can shut the door and walk off now because it would be destroyed, it would be the end of it. You talk about schools, churches. That has no bearing on amusement equipment, not any whatsoever. To the JEA last –, two weeks ago, I donated equipment over there for their fund raiser. They got all the proceeds out of it. I got nothing. I carried it, I brought it back. I have a school here in Savannah, they'll have their carnival and fund raiser. They called Wednesday. We [sic] happen to be one that we yearly support. We will take all that equipment to the school. They will receive every dollar on it, and we will pick it back up. In the new facility we will give away a large party for their fund raiser. It will be auctioned off. What has children got to do with it? Go in a bowling alley, go in a pizza restaurant. They all have alcohol licenses. The State ruled quite a few years ago that amusement equipment and what we all redemption equipment that gives away a prize have nothing to do with an alcohol license. That came up because of Six Flags Over Georgia and a place called Whitewater, which is State-owned property that had alcohol licenses in them. They would no longer be able to operate like this. The State changed that. The State allows the give-away of gifts. They allowed us to redeem gifts with lottery tickets. Rebecca Paul loves it. The State loves it. The Revenue Department loves it. These things have been brought up to us, and why should a place that has an alcohol license –, the Kroger, you mean they can't have a decent equipment in it any more because they hold an alcohol license. It has nothing to do with it. Nothing whatsoever. It has nothing to do with kids being in a place. Under 18 years old? I have reservations now coming in for this new facility. All my reservations are from church groups and schools, end of the year school parties. I have one now scheduled, and I hope we're finished by that time, for the largest bar mitzvah party ever held in Savannah will be held in our place. Leased the whole facility for a night. These are kids. It is close to a school. It has nothing to do with being close to a school. It has nothing to do with an alcohol license. I don't know where all this came about. We also –, we know that some of these people out of town don't wish to pay any taxes or anything. We paid in inventory taxes and property taxes, not personal, in my business in fees to the State over \$80,000 last year. In taxes and fees. We will have none of that any more. If this rule was passed in the City and the County, we would lose 95% of our customers and we would be out of business. Since 1952, that's a long time. Why should we be put out of business because some people don't understand what is legal and what is not legal. You're taking advantage of a business without any consultation with anyone in that business. You're drawing up ordinances and no one consults anybody in the business to find out the legal aspects of it and what you're doing and what is it that a kid –, you go in any place and a kid the machines. That's got nothing to do with it. If we didn't have entertainment for children, what would they be doing? People all over the south side are waiting on us to open up so their children will have a place to go, and it's right by a school. I just wanted to bring all this up, and I hope that you –, I don't want to be long winded. I think this has been a long winded enough meeting down here. Chairman Hair said, I'll agree with that. Mr. Barras said, well, I wish you would see to deny this ordinance, vote against this ordinance, table this ordinance until someone can meet either I or an attorney in Atlanta that represents the industry can sit down and correct the bad problems of this ordinance. I thank you very much.

Chairman Hair said, thank you, Mr. Barras. I'd like to go on record saying I totally agree with you. I think this is a thing that can best be dealt with at the State level. There currently is a State law being proposed that would deal with this on a State-wide basis, and I certainly do not think that we should approve this ordinance. Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. I agree, I think staff –, I believe we got into this thing with good intentions to deter bad things will happen with coin-operated machines, but I believe we have to listen here. We kind of took it and went a little overboard on it, and I don't believe it was ever our intentions to hurt any, you know, good businesses that's been here for years, and so I'd just like to go ahead and make a motion to oppose this ordinance. Chairman Hair asked, do you want to make a motion to table? Commissioner Rivers said, I'll second a table. Chairman Hair said, we have a motion to –. Commissioner Kicklighter said, I will, I'll change it. I'll make it to table.

Chairman Hair said, we have a motion and second to –. A motion to table is not –. Commissioner Jackel asked, may I ask a question of him. Chairman Hair said, a motion to table is not debatable. All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion to table. Commissioners Rayno and Jackel voted in opposition. The motion carried by a vote of six to two. [NOTE: Commissioner Murray did not cast a vote.] Chairman Hair said, the motion passes. Thank you Mr. Barras, we appreciate your –. Mr. Barras said, thank you very much.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to table the request for adoption of an ordinance to regulate coin-operated amusement devices/machines within the unincorporated county limits. Commissioner Rivers seconded the motion. Chairman Hair and Commissioners Rivers, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion to table. Commissioners Rayno and Jackel voted in opposition. The motion carried by a vote of six to two. [NOTE: Commissioner Murray did not cast a vote.]

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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. INTERIM FINANCIAL STATEMENTS FOR THE FISCAL YEAR 2001 SECOND QUARTER REPORT AND A MID-YEAR BUDGETARY REVIEW.**

ACTION OF THE BOARD:

Written report received as information.

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- 4. INFORMATION REGARDING 2001 YOUTH COMMISSION TRIP TO WASHINGTON, D.C., AND NEW YORK, NY, ON MARCH 4-8, 2001.**

ACTION OF THE BOARD:

Written report received as information.

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EXECUTIVE SESSION

Upon motion being made by Commissioner Odell, seconded by Commissioner Thomas and unanimously approved, the Board recessed at 12:38 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 1:25 p.m.

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ITEMS FROM EXECUTIVE SESSION

- 1. LINDA SHAVERS CLAIM (JONATHAN HART).**

ACTION OF THE BOARD:

Commissioner Jackel moved that the County defend the case regarding the claim by Linda Shavers. Commissioner Gellatly seconded the motion. Commissioners Jackel, Murray, Gellatly and Kicklighter voted in favor of the motion. Vice Chairman Thomas and Commissioners Rayno, Rivers and Odell voted in opposition. The motion was defeated by a tie vote of four to four. [NOTE: Chairman Hair was not present.]

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2. REQUEST BOARD APPROVE SETTLEMENT OF PROPERTY DAMAGE CLAIM OF WARREN BROOKS (JONATHAN HART).

ACTION OF THE BOARD:

Commissioner Jackel moved to approve settlement of the property damage claim of Warren Brooks in the amount of \$6,669.95. Commissioner Rivers seconded the motion. Vice Chairman Thomas and Commissioners Rayno, Rivers, Jackel, Murray, Gellatly and Kicklighter voted in favor of the motion. Commissioner Odell voted in opposition. The motion carried by a vote of seven to one. [NOTE: Chairman Hair was not present.]

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

ACTION OF THE BOARD:

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

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APPOINTMENTS

1. SOUTHEAST COASTAL REGIONAL BOARD FOR MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE

ACTION OF THE BOARD:

Commissioner Odell moved to appoint Commissioner Rayno to serve on the Southeast Coastal Regional Board for Mental Health, Mental Retardation and Substance Abuse as the elected official from Chatham County. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Chairman Hair was not present.]

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ADJOURNMENT

There being no further business to be brought before the Board, Vice Chairman Thomas declared the meeting adjourned at 1:30 p.m.

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APPROVED: THIS _____ DAY OF _____, 2000

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

SYBIL E. TILLMAN, COUNTY CLERK