

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, SEPTEMBER 21, 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, September 21, 2001.

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II. INVOCATION

The Reverend Timothy Sheppard 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 Martin S. Jackel, District Three Harris Odell, Jr., District Five David M. Gellatly, District Six B. Dean Kicklighter, District Seven
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ABSENT:	Joe Murray Rivers, District Two
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IN ATTENDANCE:	R. E. Abolt, County Manager R. Jonathan Hart, County Attorney Barbara B. Wright, Acting County Clerk
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YOUTH COMMISSIONERS

Chairman Hair said, first I'd like to introduce our Youth Commissioners who are with us this morning. We have Dwayne Allen. Dwayne is a Senior at Savannah Arts Academy. He's also Parliamentarian of the Youth Commission. We have Carvell Allen. Carvell is an Executive Member. He's a Senior also at Savannah Arts Academy. We have Corey Jackson, who is an Executive Member, and he's a Junior at Beach High School. We're glad to have you with us this morning. As we proceed, most of you have been here before, just raise your hand and I'll be glad to recognize you and answer any questions.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. HEALTH SERVICE TO COUNTY EMPLOYEES - DR. JAMES HISSAM.

Chairman Hair said, the first thing on our agenda this morning is we're going to have a presentation from Dr. Jim Hissam, who --, concerning our health service to County employees. Chairman Hair recognized Dr. Hissam.

Dr. James Hissam said, good morning. Thank you all for having me here today. My name is Jim Hissam. I'm in family practice and have been really privileged to serve this community for the past 25 years. As I sat last night --, well, first off I'd like to introduce Dr. Josephina Tan, who is one of my associates. Dr. Susan Reinheimer is unfortunately probably driving around out here somewhere and is lost and will be doing this also. Susan was head of Memorial Emergency Room for a long number of years and has been my associate for the past three years, both in family practice and doing emergency medicine. And then, of course, our true boss is my nurse, Marsha Foster, and for the past 22 years has managed to teach me a few things. As I sat last night to write a few comments out about today, I happened to watch the President's speech and sort of put the pencil down and changed my format here just a little bit. Ten years ago I was called up for Desert Storm. I was gone from my community for six months. I left at home my wife and four boys aged eight through sixteen. During that six months several members and several people in this room today and in many of the County's departments stepped forward unasked and really helped my family out. Many of those things I didn't learn about until some years later when I got back. Neighbors told me about the twice a day police car that would come down and go around the circle and just make sure everything looked okay. My next door neighbor particularly was glad that the mosquito people came out more frequently and actually cleared a couple of little ditches that I usually did. The sanitation department was just really, really great. I could go on here, but I'd like to pause for just a minute and really extend an overdue but very sincere thank you to the County for taking care of my family during those six months. Ten years ago Savannah Family Practice, the family practice, the practice of medicine was considerably different than what we see today. There's been an awful lot of changes. In terms of the medical changes though, they've been just tremendous and very happily so. The pharmaceuticals, the procedures we can do, the knowledge made available in the past ten years is often coming now so fast it's hard to keep up with it, and have to read quite a bit and watch quite a bit to do so. One other thing that's changes is the concept of the patient-physician relationship, the dealings with various community agencies, government agencies, business agencies, and of course insurance HMO, with some economic realities having set in about eight to ten years ago. Some of the physicians, myself included, very appropriately tried to come up with different programs, different approaches to this particular problem. Some of them were successful, some of them and even today are just running into areas that were never intended to run into and where quite frankly physicians don't have the training and shouldn't be into, and you can add some politics or some economics, et cetera, but things have changed tremendously and I don't think I'm telling you anything you don't know already. With that said, I am an independent physician, I really run my own office, I'm my own [inaudible] now and have been for the past ten months, and what I'm trying to do is to take the concept or idea I really started out with in 1976 in this community regarding family practice and try and re-resurrect what you all used to know as Savannah Family Practice, which was in existence for about 20 years in this community over on Eisenhower Drive, Mercy Boulevard and Garden City. And with that, about a month ago I put in and re-resurrected the name and brought on --, am bringing on some excellent --, what I consider excellent physicians whose concepts and ideals are akin to somewhat of mine, if you will, which has to do primarily with the patient-physician relationship, and so my reason to be here this morning is quite frankly a little bit of P.R., if you will, but at the same time to offer other options. Not just a single option, but other options to the Commission here, and without getting into all of it, I'm going to leave some brochures here which I think will help and let you read about it at your own convenience. The final thing is --, and again I've changed a here a little bit, Russ [Abolt], last night as we watched the President speak, my oldest son graduated B.C. in '93, a graduate of Citadel in '97, spent six months roaming around Europe with a backpack, came home and took a commission in the United States Army, and after several strong lectures from me about how good hospital administration was, he immediately went into the infantry, much to his mother's dismay. He went to Fort Benning, Infantry Officer Basic, Bradley School, Airborne and in Ranger --, successfully went through Ranger School. The past two and a half years he's been a Lieutenant with the Army's Rapid Reaction Force in Vicenza, Italy. He speaks excellent Italian now and when he comes home he stays as far away from Italian restaurants as he can and --, when we get to see him, which isn't too often right now. July 4th he was promoted to the rank of Captain and is actually now one of the Army's youngest Captains. He was accelerated and given his own --, given his own command, and as we speak today he is presently head of a 60-man Ranger Rifle Team that is sitting on the border of East Germany and Czechoslovakia. We get this little 20-second phone calls when he can get through, and it brings home to us, you know, the nearness of what the President said last night and the price we pay for our freedom, and the loved ones that we have that are involved with this. With that I just wish all of our young men and women from this community, from this County, from this State safety and God's speed and may He protect and keep them close to His heart.

Chairman Hair said, thank you, Dr. Hissam.

Commissioner Jackel said, Dr. Hissam, just one second, please sir. I was talking with Dr. Hissam, who I've been fortunate enough to know for a long time and respect very highly, both as a person, as an American, as he served his country and as a physician. He, while I was talking with him, and he noticed that there was a vacancy on our Veterans Council that we can appoint, and at the appropriate time I will be asking y'all to appoint him to that Veterans Council.

Chairman Hair said, thank you, Dr. Hissam. We appreciate you being here. Chairman Hair said, thank you, Billy [Hair].

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2. PROCLAMATION FOR DOMESTIC VIOLENCE AWARENESS MONTH - CHERYL BRANCH FROM SAFE SHELTER OUTREACH WILL BE PRESENT TO ACCEPT.

Chairman Hair said, the next thing on our agenda is a proclamation for Domestic Violence Awareness Month, and Ms. Cheryl Branch, I believe, is going to be here.

Ms. Cheryl Branch said, good morning. Thank you for having us here, and I have with my our board president, Maryann Springthorpe and she's here to accept the proclamation for us.

Chairman Hair read the following proclamation into the record:

WHEREAS, domestic violence affects millions of Americans, crossing all economic, racial and social barriers and causing emotional damage, physical harm or death to members of the family; and

WHEREAS, in 2000, the Savannah Area Family Emergency (S.A.F.E.) Shelter provided services for 5,682 individuals; sheltered 279 victims and their children; had 5,682 bed nights (including hotel stays); received 1,104 crisis calls; and processed 2,520 police reports; and

WHEREAS, in Chatham County, the Chatham County Police Department responded to almost 1,941 domestic disturbance calls, wrote 1,116 domestic violence reports and there were 39 domestic violence-related assaults in 2000; and

WHEREAS, in an effort to promote support for the shelters and programs designed to protect battered women and their families and to reduce domestic violence, the Georgia Network Against Domestic Violence is sponsoring special activities during the month of October 2001; and

WHEREAS, domestic violence has ended lives, destroyed families, harmed children and has entered the work places, churches and schools of this community; and

WHEREAS, Chatham County government condemns domestic violence and supports the efforts of SAFE SHELTER and the SAFE SHELTER OUTREACH PROGRAM to make the home a safe place for all the citizens of Chatham County.

NOW, THEREFORE, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners do hereby proclaim the month of October 2001 as:

“DOMESTIC VIOLENCE AWARENESS MONTH”

in Chatham County, Georgia and encourage all citizens to be good neighbors in identifying and promptly reporting incidences of domestic violence.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of Chatham County, Georgia, to be affixed this 21st day of September 2001.

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

ATTEST: _____
/s/
Frances Q. Rasmussen, Deputy Clerk

Ms. Springthorpe said, I want to thank you for this and to also bring to your attention that during Domestic Violence Month [sic] this year, we have something very special in that we will be moving into our new home. We started building late last year and through an act of arson our home was burned back to the slab when it was about halfway completed. We are almost to the point of completion now. Yesterday I was out there and there were painters here and there were electricians here, carpet people here. It's just really coming together and Savannah and Chatham County will have something that I don't think any place else in this part of the country will have a home like we have here, and that's only through the support of all the citizens as well as the governments in our area. Having read this morning's paper, I think we just had our sixth domestic violence murder this year, so it is a very dear cause for all of us and we thank you again for all of your support.

Commissioner Jackel said, thank you.

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VI. CHAIRMAN'S ITEMS

None.

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VII. COMMISSIONERS' ITEMS

1. TIME OF REMEMBRANCE AND REFLECTION (COMMISSIONER JACKEL).

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, Mr. Chairman, I'd like to take the well. After last night's speech by --, speech by the President I really feel that anything I can say would be --, I know anything I can say wouldn't even come close. I'm proud --, proud of our President, proud of our country, and it is certainly the time for remembrance and reflection. What I'd like to do is first ask some people to stand who have served our country in the past. Phillip Webber, would you please stand and remain standing. Phillip, we're going to count on you if, God forbid, something happens here, and we know you're ready. Those that have served, I want to recognize our soon-retiring General Lynch, who served this country well and had the rank of Major General. I Chairman served a tour in Vietnam, if he would stand. He served his country, and next to him, Commissioner Murray, who served in the Army, and, Chief [Gellatly], I don't know whether you served in the Army or not, but I know you've served well, and I know you served our City as a police officer and we know how valiant the police were. Our County Manager, Russ Abolt, served a tour in Vietnam. Chief Sprague, for all the work you've done as police and I know you were on the Border Patrol and everything. Chief St. Lawrence --, Sheriff St. Lawrence, the same with you. I know you've served our country and continue to do it now. [Inaudible], I don't remember whether you served or not in the military. You ought to stand too. That's [inaudible], and we have Judge Beam here who served in the Army. I wish he would stand, and all our Deputy Sheriffs need to be recognized for the work they did. And do we have any other veterans or anyone else that served with the National Guard or whatever, who served on the police or any other way? I wish you would stand. So we see even in just this group that comes together how many of us have served our country with the police, with the sheriff, with the Army and all sorts of capacity and that's just wonderful and exciting to see and I'm proud of all of you and I was extremely proud of my service, as I know all of you are of yours. Now I would just like to make one or two short other comments. We are a diverse country. I think our strength is in our diversity. I have preached that over and over again. I've asked when we come together, when we come together as a group and we say let's all pray, prayer should bring us together. It should not divide us. We can pray whichever we want in this great, great, great country because that's what it's all about, and the President said that night after night, last night many times how proud we are of the Muslims and other groups in this country, but when we come together it's still my wish and hope that we can pray as one in a manner that we can all pray together. We have all served, we're proud of our service. I'm proud of each and every one of you and for the millions and the millions of Americans that have served their country in some capacity. I know those of you who have not stood have also served our country through community activities and supported our government and our County and our State and our City. I wish everyone would please stand and could we please have a moment of silence for the tragedy that beheld this country. [NOTE: A moment of silence was observed.] Commissioner Jackel said, Father, we ask that those that passed in this tragedy may they rest in peace; may their family know Your love for them. Amen.

Commissioner Murray said, what I'm going to say is mainly just for --, mainly for the department heads for the County. We have a number of National Guard and reservists that work in key positions with this government, and as y'all all know, the military --, all military is on alert right now, total alert, and they could be gone within 12 to 24 hours. So I would say to the management of this County to look at it very close and make sure that these positions will be covered because there are a lot of them are in key positions. It's not saying they will go, but it's a good possibility that some will. So just keep that in mind.

Chairman Hair said, thank you.

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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. MIKE WEDINCAMP REQUESTING A CURB CUT OFF OF JIMMY DELOACH PARKWAY (COMMISSIONER KICKLIGHTER). Tabled at meeting of May 25, 2001.**

ACTION OF THE BOARD:

This item was not untabled for consideration by the Commissioners.

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- * 2. **APPEAL FROM HATHAWAY DEVELOPMENT COMPANY TO PAY FULL COST OF TRAFFIC SIGNAL AT JOHNNY MERCER BOULEVARD AND WHITEMARSH ISLAND ROAD. At meeting of June 8, 2001, item was tabled to meeting of August 10, 2001. At meeting of August 10, 2001, item was tabled to meeting of September 21, 2001.**

ACTION OF THE BOARD:

This item was not untabled for consideration by the Commissioners.

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- * 3. **RECONSIDERATION AND DISCUSSION OF DEMANDS OF CONSTITUTIONAL OFFICERS – TAX COMMISSIONER, SHERIFF, CLERK OF SUPERIOR COURT AND JUVENILE COURT. At meeting of September 7, 2001, item was tabled to meeting of September 21, 2001.**

Chairman Hair said, the first one we need to take off the table is Reconsideration and Discussion of Demands of Constitutional Officers. I'll entertain a motion to take it off the table. Commissioner Rayno said, motion to take it off the table. Chairman Hair asked, second? Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.]

Chairman Hair said, at the last meeting there were two questions asked of the County Attorney considering options. One was whether or not we could raise the millage rate after we've set it and the other was whether we could rescind the previous budget. You've all received copies of that memo from the County Attorney basically saying no to both of those issues, and this morning the only thing we need to do is if someone has an option, we can consider it. In the absence of any other options other than the two the County Attorney has already ruled we cannot do, then we would basically, the legal position would be we would refuse the demand letters and then the case would proceed in court. So that's really where we are on this issue this morning. So does any Commissioner have any options based on the County Attorney's letter? Hearing none, we will then officially notify –, we'll have the County Attorney officially notify all of the officers that have sent us demand letters that those demand letters have been refused and we will proceed as –, accordingly. That takes us to Item #4.

Commissioner Jackel said, Mr. Chairman, we took this off the table, I really think we need to vote on this and I think we need to vote unanimously on this. Chairman Hair said, well, I asked the County Attorney earlier this morning –, I don't care if we vote. He said it did not require a vote. I asked him earlier and he said it did not require a vote. County Attorney Hart said, I just needed –, y'all can do it however you want to, have a vote or not have a vote, I just needed direction of what to tell these folks about whether –. Chairman Hair said, if you want to make a motion, we'll put it in the record. I don't –, you know, it's up to y'all. Commissioner Jackel said, I think it's appropriate. Chairman Hair said, all right, make a motion. Commissioner Jackel said, I so move. Chairman Hair asked, do you have a second? Commissioner Rayno said, I'll second. Chairman Hair said, all those in favor of the motion vote yes, opposed vote no.

Commissioner Odell said, let's restate the motion. Commissioner Kicklighter said, what –, restate the motion. Chairman Hair said, the motion is to refuse the demands basically sent to us by I think we have five now, five demand letters from constitutional officers. So that's –, the motion is to refuse the demand letters. All those in favor vote yes, opposed vote no. Commissioners Rayno, Jackel, Murray, Gellatly, Kicklighter and Thomas voted in favor of the motion. Chairman Hair and Commissioner Odell voted in opposition. The motion carried by a vote of six to two. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

1. Commissioner Rayno moved to untable this item and place it before the Commissioners for consideration. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
2. Commissioner Jackel moved to refuse the demand letters from the constitutional officers regarding their budgets for FY2001-2002. Commissioner Rayno seconded the motion. Commissioners Rayno, Jackel, Murray, Gellatly,

Kicklighter and Thomas voted in favor of the motion. Chairman Hair and Commissioner Odell voted in opposition. The motion carried by a vote of six to two. [NOTE: Commissioner Rivers was not present.]

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- * 4. **SECOND READING - REQUEST BOARD AMEND SECTION 11-3, ACTION TO BE TAKEN IF PLANS OF PROPERTY OWNER ARE NOT IMPLEMENTED WITHIN SPECIFIED TIME LIMITS, BY DELETING THIS PROVISION OF THE CHATHAM COUNTY ZONING ORDINANCE. THE MPC RECOMMENDED APPROVAL.
MPC FILE NO. Z-010615-49894-1
[NO DISTRICT - TEXT AMENDMENT - UNINCORPORATED AREA.]
At meeting of September 7, 2001, item was tabled until meeting of September 21, 2001.**

Chairman Hair said, I'll entertain a motion to take that off the table. Commissioner Odell said, so moved. Chairman Hair asked, second? Commissioner Jackel said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.]

Chairman Hair said, the motion passes. Chairman Hair said, for the record this is request board amend Section 11-3, Action to be Taken if Plans of Property Owner are not Implemented Within Specified Time Limits, by deleting this provision of the Chatham County Zoning Ordinance. The MPC recommended approval. Commissioner Murray, I believe you were the one that pulled this off, or would you -, did you want to make a motion or -.

Commissioner Murray said, yes, I'll move to approve it, but I also want to ask some questions so if we decide to -. Chairman Hair said, let's get a motion -, do I have a second? Commissioner Jackel said, I'll second it. Chairman Hair said, second. Okay, Commissioner Murray. Commissioner Murray asked, could you go through those changes please just so everybody fully understands what we're doing.

Ms. Charlotte Moore said, certainly. What this is, MPC is recommending that Section 11-3 from the Zoning Ordinance be repealed. Basically it requires the Zoning Administrator to do a bi-annual review of all of the zonings that have occurred within the past 24 months. The Zoning Administrator would then be required to come before the Board of Commissioners and report on the rezonings that have not obtained a building permit or a certificate of occupancy. Basically it's a provision that has not been enforced and it's the opinion of the MPC that it is not a necessary provision.

Commissioner Murray said, okay. My question is why is it not necessary? I mean, just because it wasn't being enforced we want to take it off the books? Ms. Moore said, uh-. Commissioner Murray said, my question is why was it not being enforced because had it been enforced we wouldn't have some of the problems we have today that we're addressing today. Ms. Moore said, correct. Typically when property is rezoned they're usually a development plan that followed right after the rezoning. It's fairly unusual for property to be rezoned and to -, it not be developed. There is a provision in the ordinance that the property can be rezoned and require a general development plan to be reviewed in conjunction with that if there's a concern about intensity of development or density or something of that nature and that kind of provides some protective measure. Why it hasn't been enforced I'd have to defer that question to Gregori Anderson.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, the issue goes back to 1987 and long before many of us were here. Apparently it was never followed through. The County Commission then thought it was a good idea. The MPC had recommended against it, and just by benign neglect it was never enforced. It is a -. Commissioner Murray said, well, to me that's no reason to take it off the books. County Manager Abolt said, well, it's up to y'all. The MPC when this was discussed felt fairly strong in thinking there was some checks and balances in place, but t is your call.

Commissioner Murray said, I have a problem with having something on the books that we're not enforcing. I feel like it's something that if it was enforced we would not be in situations that we're in today with certain properties throughout the community. It would have been addressed. I have a problem with deleting that out of it. I would like to see it stay the same and also start enforcing this. I don't know how the rest of the Commission feels about it, but -. Commissioner Jackel said, I feel the same way. Commissioner Rayno said, well, it sounds good. Make a motion. Chairman Hair said, well, we already have a motion and a second to approve that's already on the floor. Commissioner Murray said, and I made that motion for purpose of discussion, but I will vote against it.

Commissioner Jackel asked, can we -, can we go stronger than that? Say if they don't do it within two years, then it -, it dies? Commissioner Kicklighter said, and that it reverts back to the original zone? Commissioner Jackel said, yes. Commissioner Kicklighter said, that sounds good to me.

Commissioner Murray said, well, that's basically what it was saying, if I'm not mistaken, wasn't it that it goes back --, the Zoning Administrator goes out every six months and checks this property. Ms. Moore said, correct. Commissioner Murray said, and after a certain period of time if it has not been developed under the zoning that it was changed to, then it reverts back to its original zoning. Ms. Moore said, no sir, right now the Board of Commissioners would have to tell the Zoning Administrator that they'd like to see the property be rezoned. It would have to go back through the process through MPC.

Chairman Hair said, I'm going to ask Mr. Hart if he could kind of give us some County Attorney's opinion here. County Attorney Hart said, it's a cumbersome provision. It's administratively a burdensome provision on the MPC that is already tasked pretty significantly. It requires the MPC to review all the zoning actions every six months. It would require y'all to have to make a decision on whether y'all wanted to instruct them to undertake the rezoning of the property or the de-zoning of property from one classification to another. If we had an automatic provision in there that put it back to the previous zone, you've got the question of whether it would withstand some constitutional attacks. At the time, you know, this provision kind of, when it came up I was much like everyone else, I didn't even know it was in the Zoning Code, so I went back and reviewed the history of how it got to be in the code. Apparently back in the 80's there was one particular issue and at that time the Commission decided, well, we don't want to see this happen again so we'll put that provision in there, and the MPC at that time reviewed it and at that time I think Mr. Mendonsa as the City Manager at that time was fairly involved in it. He raised some questions about whether he thought it would pass the constitutional muster. Staff recommended against it, the MPC recommended against it almost unanimously, and then for whatever reason, we don't take as good a minutes in those days as we do now, and when it got over to the Commission, the Commission made a decision they wanted to enforce it. If the provision is going to be on the books, then it needs to be enforced. If it's not going to be enforced, then it needs to be off the books. If it's going to stay on the books, I can assure you that at some time in the future somebody will challenge it.

Commissioner Murray said, well, that to me is no reason to take it off. Let me ask you a question for clarification. You said it's all this extra work for MPC. I understood that the Zoning Administrator was the one that checked it, and the Zoning Administrator, if I understand correctly, works for Inspections. County Attorney Hart said, yes, that's correct, but the problem is once you get to the point of making a decision --, number one, y'all are going to have to review it to make a decision on whether y'all want to modify the classification. If you're going to modify the classification, you'll have to refer it back to MPC and the MPC's going to have to take some staffing time then to rezone the property into something else. You know, it's up to y'all but --.

Commissioner Jackel said, it seems --, it just seems to me like, you know, we rezone a --, someone comes forward to rezone a property, someone ought to keep track of whether any building permits are required for it, and as soon as the building permit is request, you put a little tick mark by that and we don't worry about that property. It's just those that don't get the tick marks at, you know, at the end of two years you say, hey --.

Vice Chairman Thomas said, Commissioner Kicklighter and then the Manager.

Commissioner Kicklighter said, I agree with Commissioner Murray here. Out in Garden City some years back they zoned an area of land commercial because they were promised this great West Chatham hospital and the hospital was never built. The land remained in this commercial zone, and before we know it Garden City got a nice waste transfer center in its place, and that's a great example of --. Commissioner Jackel said, a great example. Commissioner Kicklighter said, of why we need this on the books here and why it should be enforced because things can slip in later when we're promised one thing when we change a zone, that won't go through and then later something not as desired can slip in that's allowed in that type zone. So I believe we need to do what Commissioner Murray says and leave this on the book and enforce it.

Vice Chairman Thomas recognized County Manager Abolt.

County Manager Abolt said, yes, thank you, Madam Vice Chairman. Offering you an alternative, understand that this is about property rights. It involves a zoning designation that from the first --, from the beginning should be assigned only when there's a clear understanding as to what the land might be used for, and if there's a commitment to do it one way and not the other and the MPC understands it and the County Commission understands it, then that in effect becomes, you know, an option that the property owner can follow if they wish, but you have a property owner, you have investments made based on zoning, you've got property taxes being paid. You have a variety of commitments made from the standpoint of once a decision is offered on zoning. I'm like the County Attorney, I think conceptually it might sound very good, but from the standpoint of what we'd be entering into it would be very difficult, and there may be situations that arise and certainly the horror of what our country is going through and the world is an indication that there may be a slow down in development, but does that mean that, you know, within the next year or year and a half we're going to go back in and analyze all property because of market conditions they could not develop. It can be much more difficult not just for the enforcement, but in the perceptions in the understanding of how you value property rights. It does underscore the severity, the onerous burden that you have and MPC has once you assign a zoning designation, and once that zoning designation is assigned, then there are certain rights that accrue to that property owner.

Commissioner Kicklighter asked, could it be worded where after, say, two years the property owner is notified that we're possibly going to change it back, they come up here in front of us and give us some explanation of why the property was not developed and then at that point we can make an educated decision on whether or not we need to turn it back or if the economy's slow and they just couldn't proceed. County Attorney Hart said, yes, you can put a notice requirement in there. The other issue that gets in there, and it's really not a law decision as much as a policy decision, but it's something that

you folks as the Commission will have to wrestle with. I'm a landowner and I go through the zoning procedures and I pay my \$1,000 filing fee and I hire my lawyer and I get it rezoned, and I think I've got a zoning classification that meets my needs although I don't know the exact use I want because it may be a commercial piece of property and I plan to put some type of building in there that may have a auto zone or it may have a beauty parlor in it or whatever, but at the time I select my classification I take that into consideration and, say, I, financially or whatever reason, I don't go forward, and then this matter comes before the Commission, and the Commission—, does the Commission wish to be in the position to instruct the MPC to rezone somebody's property? That's a fundamental issue, and does the MPC then want to select a zoning classification to instruct the MPC how to go zone somebody's property, and are you guys going to make the right decision on what somebody's property that they paid for, paid money for and went through the zoning procedures, does this Commission wish to place itself in the position of rezoning people's property? This Commission historically has been very conservative in reclassification of zoning of private property. Now that's not to say you don't have the legal right to do that. That's to ask you whether as a Commission you wish to make that your policy, and then we will do as instructed.

Commissioner Murray asked, who requested this change be made to begin with? Where did it come from? We certainly didn't ask the MPC to do it. County Attorney Hart said, I couldn't ever find that, couldn't ever find that. Commissioner Murray said, we didn't ask the MPC to. This all came up when one of the things were read out, when all this was going on about the property out on Montgomery Crossroads about a piece of property being developed. This all came out at that point. This Commission did not ask anybody to go back and take this out, to research or make any changes to it. Why was it done?

County Manager Abolt said, I can answer that. Ms. McKee came before you and testified just as you said. You asked staff to analyze whether it was true or not. We found it was. We, in effect, I think, came back to you or recommended that the MPC revisit it to see whether or not it's appropriate. From that then has come this issue of business before you today. Commissioner Murray said, I'll oppose changing it, so I mean—.

Commissioner Kicklighter asked, what is the difference legally in notifying a property owner when they apply for a zone change, that if—, should they not build within two years or three years that they would be subject to come back before this Board for the property to be changed back, what's different than that and going to a private developer where you have these regulations and stipulations in place that should you purchase the property there, you have one year to build or you have to sell it back? As long as the property owner's notified in the beginning, then it's not mistreatment of their property rights because they would be notified when they first sought the zone change of how we would work that and as long as they're properly notified that would keep people from intentionally changing the zone, delaying it a while and then selling to something that would not be as conducive to the neighborhood that it may be in, the area's it in.

County Attorney Hart said, the first situation is a private contract between two parties, okay. People can agree to do whatever they wish to do as far—, as long as they contract. So if I'm in a development and I want to buy a lot there and they say you've got to build within a year, then I can choose to buy a lot there or not buy a lot there, okay. The second situation that you bring up is an issue of—, a lot of policy issue there of whether the government wishes to be involved in property decisions and does an individual that goes through the zoning procedures and jumps through the hoops, for the lack of a term, have a right to rely on a zoning classification after he pays his money and after he does everything? And, you know, that's—, that's one of those calls, and if you're going to change it, what are you going to change it to? Does the Commission want to be in the situation of telling the MPC what they think that property ought to be zoned to, or does the MPC go over there and study it and say, gee, in our opinion long term we think this guy's property needs to be used this way, and that's—, you know, that's—.

Commissioner Kicklighter said, and I agree. I mean, the issue is people's property rights, but also the issue, the broader picture is protecting the people around that piece of property. County Attorney Hart said, the other—. Commissioner Kicklighter said, where that one example I gave is a really pretty good one there that you can zone it for something great and it can fall apart and then all of a sudden you've got a dump, and—. County Attorney Hart said, the other issue—. Commissioner Kicklighter said, you know, and believe it would help more people than it would actually hurt someone.

County Attorney Hart said, the other issue that just comes in as about law is whether if you go through a zoning classification and you follow the Zoning Procedures Act, do you then have a zone—, a zoning classification when we adopted our Zoning Ordinance it was to say we want to have a plan of uses within our community and at the same time we want to have a procedure whereby people know what their rights are under our Zoning Act, and when you get into a two-year situation or a three-year situation or reversion situations, the question becomes are you issuing a zoning decision under the Zoning Procedures or are you issuing a temporary use policy? And if you're issuing a temporary use policy, that's a whole different can of worms. I mean, we—, you can write books on the subject.

Chairman Hair said, Mr. Abolt then Commissioner Odell and then Ms. Heimes.

County Manager Abolt said, permit me. Philosophically, this Board and your predecessors have been very strong in, you know, a government that governs best governs least, and I realize this may seem on the surface something fairly easy to administer, which it would be, but you're really, I think, sending—, permit me, the wrong message to property owners, and I realize the burden when a zone is set, but that should be part of the deliberation and the thought process before you assign the zone. The Chairman has been a leader, as you have been, a County that's open for business, and I feel that we're all aware in our own lives and the lives of the friends around us how investment decisions change, and for us to hang out a—, kind of a warning zone at, you know, your own risk may send the wrong message. Now we'll do what you tell us to do obviously, but I really think in the long run not only will it be difficult for you to get involved two or three years down the road,

but in the meantime it may very well send a message you don't want to send to just not, you know, big developers, home owners for sure, those planning their estates, a variety of things that happen in our personal lives that we hold true the right of the private property owner to decide how –, what he or she may do with that property, and I really feel at this time, and certainly we'll do what you tell us, but I think it will send the wrong message.

Chairman Hair said, okay, Commissioner Odell and then Ms. Heimes.

Commissioner Odell said, Jon [Hart], I really appreciate your comments, but just to summarize, in essence, you conclude that if we are not enforcing it, it should be removed from the books and, secondly, that if –. County Attorney Hart said, on the other hand, if we're going to keep it on the books, let's enforce it. Commissioner Odell said, let's enforce it, and the reversion clause, and that is if you tell us you're going to build A and two years down the road you don't build A and someone else purchased that property in the interim and they want to build C, then there should be some reversion clause, and the legal issue as I understand it is that if we were to implement that policy, we implement a temporary use that is not a zoning, that is a temporary use, and that in and of itself attends a multitude of problems and sins which there's no way that we can at this point carefully compute how we would end that. Is that a close summary? County Attorney Hart said, yes. It's a squirrely issue. We attended the County Attorney's Seminar this past week and we had an open session where people bring up different provisions or different things that they're wrestling with. I brought this provision up and asked if anybody else had ever seen a provision similar to this and, if so, what they thought the implications were. Well, I got a lot of the same type of things that I told y'all today that they're kind of, you know, vague. Nothing you can put your finger on, but I couldn't find anyone else that had a provision very similar to this or anyone that felt extremely confident in the group about our ability to administer it on a long term basis or enforce it, and the primary concern was, you know, what do you do from a policy standpoint, do you want to be in the position of rezoning people's property or changing uses for people who have gone through the Zoning Procedures Act and paid their money and done what they thought they needed to do, and that's not certainly the County Attorney's position one way or the other, but it's an issue that y'all have to wrestle with. Commissioner Odell said, the double-edge sword to that is beyond the fact that if someone purchased a piece of property and assumes that that property is zoned a particular way and there's this potential reversionary clause, which doesn't determine how it will be reverted or to find which creates a state of [inaudible], whereas we don't know if they're to do it, MPC, or we're to do it. That to me attends too many complications. And I guess the other side of that is that if we maintain it on the books and we say enforce, then are we making a personnel decision or have we analyzed the impact as far as the additional staffing time that will be required to enforce this which, as you have eloquently stated, is not on anyone else's books. Maybe we're just that unique that in a hundred and so counties that we have in the State of Georgia that we need something that no one else needs. I can see that. County Attorney Hart said, there is one potential alternative that, you know, I'm going to have to spend a little bit more time in looking at to see how it would work. You know, several months they had –, the City I think it was had the Wilshire property out there off of Abercorn and rezoning and in that situation they allowed the rezoning and there's an extraordinary use provision within the Zoning Code. What they did was they made them approve the site plan. When they came in and approved the site plan, they made them specify that they will use it for A, B or C, which really defines the use provision even more narrow than what the provision was in –, within that zoning classification, and what they said was if you want to go outside the parameters of this small box, then you would have to bring it back to the MPC for reconsideration, and maybe that will tighten down, you know, Commissioner Kicklighter's excellent example of a, you know, we switch from a hospital to a transfer station. I don't know. We'd want to have to look at that though. Commissioner Odell asked, what it recommend? That it be tabled until you look at that, and my concern is that if we vote on it now and we don't have that research, then we'll vote without all the information. County Attorney Hart said, yes. If we want to look at the extraordinary use provision being modified or used to take the place of this, it would require some staffing time to do that.

Chairman Hair said, all right. I would think the consensus is we probably need to retable this, is that okay? Let's first withdraw –. Well, if we –. Why don't we just wait until we get it back on the agenda because the information we get at that time would be in the face of fresh legal evidence, and I think –, you know, I think if we discuss it now and we're going to discuss it again and say the same thing, you know, after legal advice. So if we're going to table it, I suggest we go ahead and table it now. We need to withdraw the motion first. Commissioner Murray said, no, just move to table it. Chairman Hair said, well, we have –, we've got a table –, we've got a motion and a second to approve it, so we –. Commissioner Murray said, so we can just table it. Chairman Hair said, motion to table. Second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes. Thank you.

ACTION OF THE BOARD:

1. Commissioner Odell moved to untable this item and place it before the Commissioners for consideration. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
2. Commissioner Murray moved to approve the request to amend Section 11-3, Action to be Taken if Plans of Property Owner Are Not Implemented Within Specified Time Limits, by deleting this provision of the Chatham County Zoning Ordinance. Commissioner Jackel seconded the motion.
3. Commissioner Murray moved to table this issue so the County Attorney can research the extraordinary use provision. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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IX. ITEMS FOR INDIVIDUAL ACTION

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

1. BUDGET WRAP UP.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Dr. Thomas –, Chairman Hair, Dr. Thomas, gentlemen, this as my cover memorandum says is a transmittal of a fairly lengthy staff report and we're aiming at, as the title implies, to wrap up implementation of the budget, certainly within my abilities and within the –, the context of the control that I have in the organization in implementing your budget decision. I mention in there, and it was not meant to be a play on words, but reorganization, retasking and redistribution of assets. We do have results. We have, in effect, in one document the result of the cooperation of so many departments, we've been able –, we're understanding full well that there's still some outstanding issues you referred to about 15 or 20 minutes ago on your tabled items dealing with legal rights of certain departments, but by and large we have definitely minimized lay-offs to date. We have transferred positions functions. You're well aware of a major reorganization that would go into place with your adoption of this report and, in effect, management in my estimation is doing its job and will continue to do its job and cooperate with all departments immediately and as quickly as they may need it were they in the position of defining what their needs are under their demands to you. There are two issues I would like to bring to your attention in this fairly lengthy staff report and one has to do in my one-on-one meetings with certain departments it became obvious that they had a case that they wanted to make relative to the way in which the 11½% cut was made in the previous year's budget, and let me summarize them. They're the first part of my memo to you. In the case of the County Clerk, and realize that we have cost centers. They're not departments, they're cost centers, and this is a very historical and archaic way of assigning functions of government's costs. One example, which is extreme is the Clerk of Commission. It's a one-person office. To make a reduction of 11½% on departments of larger size is relatively easy. In the case of Ms. Tillman, I'm speaking for her. Obviously, she could speak for herself were she here, but it is difficult if not impossible for her to do that. So it's about \$3,300, and I give you the option of funding that if you choose. The second argument comes from the Library Board, and I agreed that I would carry it to you. The Library Board through its staff had expressed the desire that if the base was –, the Library budget, that they felt it was not fair to include a budget that also encompassed Effingham and Liberty Counties, and so they wanted, in effect, the 11½% to apply to Chatham County's portion of the tri-county budget. If that is your choice, I give you an option to, in effect, make the cuts only on Chatham County's budget, and then the third has to do with the Elections Board, and some of the folks may have talked to you on this. As you know, the previous year was a major election year with some great expense. The 11½% on a larger base means that this year the cuts would be extreme in the words of members of that department. If you wish to recognize, in effect, the current year's budget and make the cuts off of what amounts to a non-election year budget, I give you the option to restore that. The last thing I want to mention before I go into more details is that I've asked all the departments to come up with an assessment of service, and what we're doing is we have taken all the resources we now have, you know, that you've given us and we've assessed our ability to provide service. It's not making any excuses. Far from it, it emphasizes our capabilities. A fairly lengthy documentation from each department participating, but again it shows what management can do and will do once a decision is made. To give you the specifics on how I would give you the options on the three departments I referenced a few moments ago, you recall in Commissioner Jackel's proposal, which also was embraced by some, that we could extend for two more years, going from two to four years, the pay-back of the water and sewer lines under the Savannah River to Hutchinson Island. That was again part of your strategy to balance. If you wanted to extend it into the fifth year, not fully fund the payment in the fifth year, you could free up approximately \$152,000, of which about \$4,000 would go to the Clerk, \$122,000 would go to the Library and 25, almost \$26,000 to the Board of Elections if you agree with their arguments. It's my obligation to give you options. You can do that if you choose. That is, of course, an expressionary act.

Commissioner Jackel said, the Library makes sense.

Chairman Hair asked, does anybody have any comments?

Commissioner Jackel said, I would move that we do that. Chairman Hair said, all right, we have a motion to approve the staff's recommendation –. County Manager Abolt said, we need –, in effect, your motion, and I realize it would be the entire staff report, which is a ministerial, making all things work. Chairman Hair asked, do we have a second to that motion? Commissioner Gellatly asked, can we do them one at a time? Chairman Hair said, if you withdraw your motion and we'll do them –. Commissioner Jackel said, I will withdraw my motion.

Chairman Hair said, make a motion on –, let's do the Clerk first. Commissioner Jackel said, let's do the Clerk first. Chairman Hair said, all right, do I have a motion to approve the –. Commissioner Jackel said, I move that we restore the Clerk because it's a one-person office. Chairman Hair asked, do I have a second? Commissioner Gellatly said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.]

Chairman Hair said, Library. Commissioner Jackel said, well first, let's not put the cart before the horse. Let's defer the debt service on the Hutchinson Island water and sewer debt service for the fifth year. Chairman Hair asked, second? Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners 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 seven to one. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

Commissioner Jackel said, okay, now the Library. This is, we have a 11.5% across-the-board, which cut their budget affecting the other counties and not just ours, and I think it's appropriate that it should be cut on our portion of contribution. Chairman Hair asked, is that a motion? Commissioner Jackel said, I move that we approve that. Chairman Hair asked, second? Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

Chairman Hair said, Board of Elections. Commissioner Jackel said, Board of Elections. Again, that's a small department and because of the different allocations they need for different years, I think this is appropriate. Chairman Hair asked, that's a motion? Commissioner Jackel said, motion. Chairman Hair asked, second? Commissioner Odell asked, well, could he explain the motion. He said, that's a motion. To me that ain't enough information. Chairman Hair said, the motion is to restore –, what is it, \$34,000? County Manager Abolt said, \$25,980. Commissioner Odell said, okay. See, I understand that. Chairman Hair said, spoken like a good lawyer. Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners 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 seven to one. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes.

County Manager Abolt said, Mr. Chairman, we also need again a total motion to incorporate again all of the changes, the reorganization issues –. Chairman Hair said, just approve the staff report. I need a motion to approve the staff report. Commissioner Odell said, so moved. Commissioner Thomas said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes. County Manager Abolt said, thank you very much.

ACTION OF THE BOARD:

1. Commissioner Jackel moved to restore \$4,000 to the Clerk of Commission's budget. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
2. Commissioner Jackel moved to defer the Hutchinson Island Water and Sewer Debt Service for the fifth year. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
3. Commissioner Jackel moved that the 11.5% budget cut apply only to Chatham County's portion of the Library's budget and restore \$122,000 to the Library's budget. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly failed to cast a vote either in favor of or in opposition to the motion; Commissioner Rivers was not present.]
4. Commissioner Jackel moved to restore \$25,980 to the Elections Board's budget. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]
5. Commissioner Odell moved to approve Alternative One of the staff report as follows: General Fund M&O - (a) A budget amendment to recognize revenues of \$51,660 from the Alternative Dispute Resolution Department, and appropriations of \$51,660 for the Alternative Dispute Resolution Department; (b) A budget amendment to recognize revenues of \$53,250 from the Probate Court and appropriations of \$53,250 to Probate Court; (c) A budget amendment to recognize \$120,560 from the Land Bank Authority Fund and to appropriate \$58,800 to the County Manager's Office, \$59,760 to the Finance Department for budgetary cuts for FY 01-02 budget, \$2,000 for All-American Competition; (d) A budget amendment to recognize transfer of \$342,010 from Reserve for Catastrophic Claims and appropriations of \$342,010 to Mosquito Control; (e) A budget amendment to recognize revenue of \$20,370 from the Board of Elections, and appropriate \$20,370 to the Board of Elections; (f) To defer FY 01-02 debt service appropriations of \$151,980 from Hutchinson Island Water and Sewer debt service and to allocate \$25,980 to the Board of Elections, \$122,000 to the Library, and \$4,000 to the Clerk of Commission to reinstate budgetary cuts; (g) Interdepartmental transfers from Central Services to ICS (\$2,300), County Manager (\$4,600) and Human Resources (\$6,900) for reorganization of Central Services Bureau; Special Service District Special Revenue Fund - (a) A budget amendment to recognize \$25,000 transfer from the Land Bank Fund and to appropriate \$25,000 to Public Works; and Land Bank Special Revenue Fund - (a) A budget amendment to recognize \$235,090 in revenue and to appropriate \$120,560 transfer to General Fund M&O, \$25,000 transfer to Special Service District Fund and

\$89,530 to the Land Bank Fund. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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2. REQUEST BOARD APPROVE THE FOLLOWING: A GENERAL FUND M & O CONTINGENCY TRANSFER OF \$26,000 FOR VEHICLE REPLACEMENT AND SPECIAL SERVICE DISTRICT FUND CONTINGENCY TRANSFER OF \$300,000 FOR VEHICLE REPLACEMENT.

Chairman Hair said, I'll entertain a motion. No motion? Commissioner Odell said, I move for approval. Chairman Hair asked, second? No second? Commissioner Jackel asked, have we got the money available to do this? Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, first of all, you have legitimate use of contingency fund even though it is early in the year, but remember we have little if nothing to replace vehicles in M&O. The Sheriff has come forward with a recommendation endorsed by Mr. Lynch and Mr. Chatham as to the need for replacing the vehicles. Continual maintenance is far too expensive and, in effect, the vehicle I think is totally inoperable, so that is a legitimate use of your contingency if you wish to do it. The Sheriff can comment as to the need for the van. As I understand it, it does an awful lot of direct service to the Detention Center and transferring prisoners. In the Special Service District you were able to in your final budget action, as you know, in shifting the cost for health care create a contingency of coordinating —, well, actually now adjusted as of your last meeting. You have a contingency in SSD of \$474,840. That is a good contingency, certainly one we have not been used to, but looking at the life and the age of our vehicles in Special Service District, just the same as in M&O, but in this case we have some dollars. I gave you the report from Mr. Lynch and Mr. Chatham. We have some emergency some emergency vehicles and a couple in Public Works that have an extensive amount of mileage on them. We can, I think, safely draw down contingency, that \$474,000 by the 300, giving you \$174,000 for the balance of the year, and replace these vehicles which are definitely needed. We will draw the line and I've drawn on page seven of the staff report down at what Mr. Chatham and Mr. Lynch estimate in expenditures of \$289,000 to replace those vehicles.

Chairman Hair said, okay. Before I accept a comment. We have a motion. I need a second. Commissioner Kicklighter said, second. Chairman Hair said, okay, we have a second. Okay, Commissioner Murray.

Commissioner Murray said, I'm just not real anxious to approve a \$300,000 expenditure out of contingency in our Special Service District when we only have \$475,000 [sic] in there. I'm not opposed to doing some of that, but I will not support the full \$300,000 at this point. Maybe later on in the year we can do some more, but that \$300,000 is too much right now when we don't have but \$475,000 total.

Chairman Hair said, I think this is a good motion and I think that these vehicles are very much needed. I think if you —. Commissioner Murray said, I don't they're needed. Chairman Hair said, if you think about spending good money after bad, I mean, if you're going to spend a substantial portion on maintenance of very high mileage vehicles, and I just think it's a good motion. Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, just my personal comment on that, I agree with the —, most of what Commissioner Murray is saying, but from personal experience I know that it is more expensive and it would cost us more to maintain these emergency vehicles, high mileage emergency vehicles than it will to replace them, so we'd be saving absolutely nothing if we wait on this, and I highly recommend that we approve this as stated.

Commissioner Murray asked, how many of these are emergency vehicles though? County Manager Abolt said, most —, most of them are. If you look at page seven, sir, you'll see. I didn't bother to count, but I will here, you've got one, two, three, four, five, six, seven, eight, nine, ten, eleven —, eleven of the vehicles would be emergency vehicles and there are two in Public Works, and again because of the overall utilization and the mileage on them, the economic return is a justifiable reason to replace.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, our decision is not whether or not we're going to spend the money. We're going to spend the money. We're either going to spend it by making a purchase or we're going to spend it in repairs. So it's not optional. We're going to spend the money. The option cannot be that we put prisoners to be transported from various locations on a Chatham Area Transit bus and be transported. That's not our option. Commissioner Murray said, I would think you've got \$26,000 of that —.

Chairman Hair said, okay, we have a motion and a second to approve. All those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Rayno, Jackel, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes. Thank you.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the following: A transfer from General Fund M&O Contingency of \$26,000 for vehicle replacement and a transfer from Special Service District Contingency of \$300,000 for vehicle replacement. Commissioner Kicklighter seconded the motion. Chairman Hair and Commissioners Rayno, Jackel, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Rivers was not present.]

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3. UPDATE ON CHATHAM COUNTY'S REIMBURSEMENT OF \$17.47 MILLION IN STATE FUNDING FOR THE MARITIME CENTER.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, gentlemen, this was at your request and, of course, Commissioner Murray brought it up at the last meeting. This has been a very frustrating experience for the County going through a prolonged gestation period waiting for the State of Georgia to pay its –, for \$17.47 almost \$5 million for their share of the Trade Center. Our latest estimate, given the objective we must accomplish for their benefit, we will receive a payment by mid-November.

Chairman Hair said, okay. Any questions? All right.

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4. RECOMMENDED REVISIONS TO GREENSPACE AGREEMENT WITH MUNICIPALITIES.

Chairman Hair recognized County Attorney Hart.

County Attorney Hart said, this is agreements the MPC has worked on very hard. As you recall, we –, when we purchased the Demere tract, we felt that part of financing that, the best thing the County could do is take Greenspace money and use that to acquire that property, and the way the State legislation came out in the Greenspace, it divided the money up based on population censuses among the various municipalities. The net result of that was that the municipalities got a very minuscule amount money out of the Greenspace money. They might get \$6,000 or \$8,000, but the Greenspace requirements had tremendous requirements, tremendous administrative requirements so from a practical standpoint the smaller municipalities had this grant but then they had to go out and find something that would qualify under the Greenspace Act to do a project. They didn't have enough money to do it and then it had all these strings attached to it. So we came up with the concept that what we would do is that if the County's –, the smaller municipalities and the City of Savannah would be willing to give up their allocation of the Governor's Greenspace money to the County so the County could then use that to pay down the debt on the Demere property, that the remaining –, that we would then take some of the SPLOST money that was available to us for bicycle and Greenspace and allocate that to the smaller municipalities, and the purpose of that primarily was to put them in at least as good a position as they would have been under the Greenspace Act, and in most cases they get a little more money than that, but from their standpoint because it is SPLOST money, it does not have all the strings attached to it and they can use it with a lot more flexibility than they could under Greenspace. So it's sort of a win/win, the County ends up being able to get the Greenspace money and the smaller municipalities and the City of Savannah get –, gets other money in substitution thereof that they have greater flexibility with. This agreement memorializes basically those concepts. The only difference was that when we first did it, it was a two-year agreement and we assumed that the funding was going to be approximately the same for two years. Well, we got our Greenspace approved very quickly and, therefore, at the end of the year of the first year we actually got a little supplement or a little bonus for that, so this agreement recognizes that bonus. The second part of that though is the next year, or the second year, the rest of the counties across the State woke up, participated in the program and then our share shrunk a little bit. So we ended up modifying the agreement, reworking the math based on the newer allocations so that all the municipalities would essentially be in at least as good a shape as they were or better without all the strings attached to it. There is a provision in here that we were asked by a couple of the municipalities to say that we promised them they would be in no worse shape than they would have been, and this is what this agreement basically does. Tom [Wilson], did I miss anything about that? Mr. Tom Wilson said, I believe that covers it.

Chairman Hair asked, does anybody have any questions? I think is –. Commissioner Murray said, move to approve. Chairman Hair said, we have a motion to approve. Second? Commissioner Kicklighter said, I've got a question. Commissioner Odell said, second.

Commissioner Kicklighter said, so basically every municipality's on board with this then? County Attorney Hart said, yes sir. Commissioner Kicklighter said, well, not basically. Is every municipality on board with this? County Attorney Hart said, yes sir. It's a good deal for them because, you know, they end up with \$5,000 they've got to find a project that meets all the Greenspace requirements, they can't find –.

Chairman Hair said, all those in favor of the motion vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rivers was not present.] Chairman Hair said, the motion passes. Thank you.

ACTION OF THE BOARD:

Commissioner Murray moved to approve the recommended revisions to Greenspace Agreement with municipalities. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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5. REQUEST FROM JUDGE BEAM FOR PROFESSIONAL SERVICES CONTRACT WITH LEE MOORE.

Chairman Hair said, Judge Beam is in the audience and he's requested that that next item be removed from the agenda.

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6. PROPOSED 2002 LEGISLATIVE AGENDA.

Chairman Hair said, Mr. McAlister is with us this morning. He --, you have in front of you a list that we have compiled during the year of concerns that each individual Commissioners have that they'd like to see addressed by the Legislative Agenda and Bob [McAlister] has broken them down into statewide, local and other priorities. I think he's done a very good job with this. Basically, we can --, if any Commissioner wants to add anything, we certainly could add it. That's certainly doable.

Commissioner Jackel said, I discussed some of this with Mr. McAlister earlier and I think we need --, this would be wonderful if we could get it, so maybe we need to see if we can't get the... by possibly saying if a prisoner was kept over ten days then they start paying or after five days they start paying, or if we have more than ten prisoners they start paying --, something so we could at least get the ball rolling in that direction. Chairman Hair said, I think that's a specific under number one [sic], Commissioner Jackel. There's a number of ways --, Mr. McAlister and I have talked about a number of ways to address number one and that would be certainly one way to do that. Commissioner Odell and then Commissioner Rayno.

Commissioner Odell said, Bob [McAlister], I don't know if it would be appropriate to put it on legislative hit list, but I've gotten a fair number of complaints and the bottom line is that there's a desire to create a Chatham County CSB break-off from the larger CSB that's down in Jesup or Brunswick, or wherever it is, in that the impact is that the largest concentration of people are here in Chatham County, and yet the largest service providers are outside of Chatham County, so consequently our people are having to be bused, transported, walk, fly, however, to get to have services for that, and there's some thought that we could create a Chatham County Community Service Board, and --. Mr. McAlister said, I'll be pleased to inquire.

Chairman Hair said, we --, without objection we'll add that to the --. We'll add that. I think that's a good point. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, there's a lots of great things on the list. My concern is that when you try to do too many things and not focus on particular issues, you don't get what you want, and --. Do you feel comfortable with a large list that you can accomplish most of it? Mr. McAlister said, well, I --, the accomplishment is not something I would do. The accomplishment is something the Legislature would do. But I think, I think --, I don't have a problem with the length of this list. There have been some other years where our lists were fairly long, and that was [inaudible]. Some of these items are things that we can push very hard on and then there are other parts of them that are just things that we want to show an expression of our support for or in some cases, they're just issues that we want to raise. I'm comfortable with the entire list.

Chairman Hair said, I think that's a good point, Commissioner Rayno, that you've raised, but I'm like Mr. McAlister, I think it is --, it's been much longer in the past years and I think we also are going to have an opportunity to stress to the Legislators when we have lunch with them that some of these might be more important to us than others, and I think that's what --, they'll ask us questions about that, so I think we will have an opportunity in a dialogue session with the Legislators to --, to maybe stress some of these are more important, but it's a good point.

Commissioner Rayno said, there's some other issues that I might think should be added to the list if you feel comfortable with the length of it. The Homestead Option Sales Tax, which was used in DeKalb County might be one that we might consider for Chatham County as a means of relieving property tax for the people in this County and also we had talked about the possibility numerous times or in the budget debate of the special millage for the justice --, criminal justice and the sheriff. We might consider that to be an option so that the public has a full awareness of how much it costs to put people in jail and keep them there and the court system and all that, and --.

Chairman Hair said, on --, just a point on that --, ask the Attorney. I don't think that requires State legislation. That's something we can do on our own. We don't have to --, that's something that we don't have to ask the Legislators for.

Commissioner Rayno said, okay. County Attorney Hart said, I'll be glad to confirm that, but I looked at that a couple of months ago and came to the conclusion –. Chairman Hair said, I'm pretty sure we already have that option. I don't think that's a State issue.

Commissioner Rayno said, later on in the year I think we would also probably like to either support or not support the consolidate issue depending upon recommendations of the Consolidation Committee. Chairman Hair said, well, that's true, but again that's going to be a next year's item because they won't –, they've got to pass another law in January based on the work that was done this year, so that will be something that really won't be acted upon until 2002. Commissioner Rayno said, the thing that I'm really uncomfortable with in the list that you have included is the SPLOST issue where you want to start using SPLOST funds for the maintenance and upkeep of buildings that we create. I think if we start doing that, you're going to essentially perpetuate SPLOST into eternity, and I don't think that's the original intent of the SPLOST. I mean, the name of it is Special Purpose.

Chairman Hair said, let me give you a little background on that, Commissioner Rayno. First of all, I disagree with you. I think we need to be able to spend it, but I'll tell you this, it's a moot point. The Legislature will tell you this that it's not going to go anywhere because the Governor opposes it, the Speaker opposes it –. Commissioner Rayno said, and I oppose it. Chairman Hair said, we've asked –, well, I'm in favor of it, but I'm not sure if you're [inaudible]. I know you're pretty important, but I think the Governor and Speaker might carry a little weight. At least you're in good company. I mean, you know, you're in powerful company anyway, but this has come up every year, and the State –, and I think Bob [McAlister] will confirm this, and the chances of that going anywhere is slim to none. Bet on slim, okay. It's just not going to happen, but it's just –, it would give us some flexibility, but I don't think it's going to happen. All right, Commissioner Murray –. Oh, I'm sorry, were you through, Commissioner Rayno? You were finished? Commissioner Rayno said, yes, I'm done. Thanks. Chairman Hair said, okay, Commissioner Murray.

Commissioner Murray said, yes, my questions were going to be on the SPLOST funds because back in June I talked with several of the Legislators. I'd also talked with the County Attorney. Burke Day went to Atlanta, he met with the Governor, they talked. The County Attorney had rewritten the SPLOST agreement to change that, but we've got two other things added on here that I don't think should be added on. The whole intent at that time was strictly to be able to collect a flat amount up to 5% of the total SPLOST money collected within that term that we collected them, and that could only be used for maintenance on projects that were built with SPLOST money. It could not be used for anything else. We would not get into all that. Now I see where it's added to a building of non-governmental agencies, such as day care centers and social agencies, and it says operating costs for facilities originally built with SPLOST. If we start getting into operating costs on that, I can tell you now it's not going to fly. The whole purpose was to help with the maintenance of the facilities that have been built with SPLOST money. That was all, and I would support that. I would not support the other two items being on it, but I think that, you know, maybe there's a lot known that I don't know about, but I feel like there is a chance that this can pass if it's written properly and if we don't try to add all this other stuff in to be able to take and utilize those funds for anything in the world we want to. But if we do it for strictly the maintenance and repair on those facilities that are built with SPLOST money, then I think it stands a good chance of passing, and I would support that. I would not support these other things being added to it.

Mr. McAlister said, I –, the points I've included there are ones the various Commissioners have raised. If it's the Commission's desire, we can –. Commissioner Murray said, well, I've got –, did you get a copy of this? Mr. McAlister said, I don't know that –, I don't think I did. Commissioner Murray said, well, we can get you a copy of the way it was written. I think, Jon [Hart], you may still have a copy. If not, you can run a copy of mine.

Commissioner Kicklighter asked, Commissioner Murray? Commissioner Murray said, yes. Commissioner Kicklighter asked, would you put that in the form of a motion to approve number five [sic] minus (a) and (c)? Commissioner Murray said, well, I don't know that we need to do that because we're going to be meeting with them anyway. This is just for discussion. Mr. McAlister said, well, I think if don't want it on the list, the whole purpose of the meeting today is to make it like you want it. Commissioner Murray said, well, I move that we delete (a) and (c) off of item number seven [sic] and only use (b) as the –, and use the proposal and the changes that were recommended by the County Attorney with the ordinance itself, and I can give you a copy of that. Commissioner Rayno asked, seventeen? Commissioner Kicklighter said, item number five, isn't it? Commissioner Murray said, item number –, it's item number seven [sic] on my list. Mr. McAlister said, Mr. Murray, there's a –, it was reformatted and edited and the numbering changed just slightly there. Commissioner Kicklighter said, someone just passed it out right before this started. Mr. McAlister said, yes. Commissioner Murray said, I don't have that. Mr. McAlister said, we can –, the –, I think everybody knows what you're talking about. Commissioner Murray said, okay, number five. Still –, we'd still be deleting the same (a) and (c) off of that. Commissioner Rayno said, and (b). Commissioner Murray said, no, not (b). Commissioner Kicklighter said, I'll second.

Chairman Hair said, I don't –, we don't need a motion for this. We –, let's without objection. We don't need a motion to adopt this. County Attorney Hart said, you're really not doing anything other than giving us a –. Chairman Hair said, no, what we're doing is handing this list to the Legislators. We're going to rule it doesn't need a motion. I don't think it needs a motion. Commissioner Murray asked, you know what we want to take out then? Mr. McAlister said, yes, (a) and (c). Chairman Hair said, yes.

Commissioner Odell said, I don't think that he knows what we want to. He knows what you want to take out. He doesn't know what I want to take out. Commissioner Kicklighter said, that's why we a vote on it. Commissioner Odell said, no, we don't. I think we're going to meet with the Legislators and we have an opportunity individually to voice our opinions. I think that we do if we create a project like the 8th Air Force and they run a continuous shortfall that we might need to

consider needing future SPLOST to subsidize that. I don't see that that's a cardinal sin, and I'd like to leave it in at this point for discussion, not to simply rule it out that we can never do that. It precludes too many options.

Chairman Hair said, I totally agree with Commissioner Odell. I think he is correct and we will have an opportunity to express our personal opinions and obviously the Legislators will --. I can tell you this, the Legislators will pay a lot more attention to those items that are unanimous on the Commission than they will maybe the ones they feel two or three are for or two or three are against, but I do think Commissioner Odell is correct, and I think Commissioner Murray has every right to express his opinion and say he wants that out and he can tell the Legislators he wants it out, but I think Commissioner Odell has a right to say that I think it should stay in. So I think the list should stay as the list because that's basically what it is, it's just a discussion piece of paper, and then we can express when we meet with the Legislators, we can express our personal opinions to them and we can give them all the reasons why we're for or against something and then they can either listen to us or not listen to us.

Commissioner Murray said, I don't have a problem with that. The only reason I was making a motion is I was asked to make on. Chairman Hair said, well, I apologize if I was rude, but I don't think we need a motion for it. Commissioner Murray said, well, that's fine.

Chairman Hair asked, anybody else want to add anything?

Commissioner Jackel said, I'm just --, we've got things on here about governmental liability and I've always taken the position and still have that position that it makes no difference to me whether a loved one, a family member of mine is injured by a Coca-Cola or Pepsi truck or whatever, or a County truck, they ought to be paid just compensation for their injuries. Commissioner Kicklighter asked, what number are you on? Commissioner Jackel said, that would be item number four and item number five of the new revised list under statewide priorities. And --, and, you know, I think that's what we ought to stand for and as a member of the CAT Board I asked that we increase our insurance from one million to five million dollars and we did that so we would have adequate things. If people are hurt and injured and our loved ones suffered, whether it's the State or County or whatever, they ought to receive just compensation. They ought not to be told, well, it's a State vehicle, it's a County vehicle, we're sorry, we can't help you. I just think that's wrong and I understand this is for discussing with them, but this is in there like this is what we want it to be done and --. Commissioner Kicklighter said, well, that last statement works both ways. It stays on the list and you can discuss your individual opinion whenever --.

Chairman Hair said, the point I was going to make to you, you have every right to express your personal opinion --. Commissioner Jackel said, well, certainly. Chairman Hair said, to the Legislators and you'll get that opportunity. Okay? Anything else anybody else wants to add or --. Okay. If not, we will present this, Mr. McAlister. Yes?

County Manager Abolt said, reminder. Luncheon, this room, next Wednesday with the list. Chairman Hair said, yes. Commissioner Jackel said, this coming Wednesday.

Chairman Hair said, okay, thank you, Mr. McAlister. You've done a good job on this. I appreciate your time and your effort.

ACTION OF THE BOARD:

Discussion received as information.



X. ACTION CALENDAR

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

Chairman Hair said, that takes us to the Action Calendar. Does anybody want to pull anything off the Action Calendar? Commissioner Jackel said, I only have one. Let's start with A. Chairman Hair said, A. Okay, anybody else? I'll entertain a motion to approve the balance of the Action Calendar. Commissioner Odell said, move for approval. Commissioner Thomas said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers and Murray were not present.]

ACTION OF THE BOARD:

Commissioner Odell moved that the Action Calendar be approved in its entirety with the exception of Items 6-A. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers and Murray were not present.]

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



1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON SEPTEMBER 7, 2001, AS MAILED.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the minutes of the regular meeting on September 7, 2001, as mailed. - Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Murray were not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD AUGUST 30, 2001, THROUGH SEPTEMBER 12, 2001.

ACTION OF THE BOARD:

Commissioner Odell moved that the Finance Director is authorized to pay claims for the period August 30, 2001, through September 12, 2001, in the amount of \$3,444,439. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Murray were not present.]

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**3. REQUEST FROM TIMOTHY WILSON, DEVELOPER OF ARAMENTA FARMS SUBDIVISION, TO RECORD THE SUBDIVISION PLAT.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request from Timothy Wilson, developer of Aramenta Farms Subdivision, to record the subdivision plat. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Murray were not present.]

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**4. REQUEST FOR TRANSFER OF BEER AND WINE RETAIL LICENSE FOR 2001. PETITIONER: BILL H. LAI, D/B/A PAL'S MINI MART, LOCATED AT 2101 LOUIS MILLS ROAD.
[DISTRICT 5.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the petition of Bill H. Lai, d/b/a Pal's Mini Mart, located at 2101 Louis Mills Road, for a transfer of beer and wine retail license for 2001. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Murray were not present.]

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5. REQUEST BOARD GRANT WRITTEN PERMISSION FOR THE CHATHAM COUNTY POLICE ASSOCIATION TO CONTINUE USING THE CURRENT CHATHAM COUNTY POLICE ASSOCIATION LOGO WHICH INCORPORATES THE CHATHAM COUNTY POLICE DEPARTMENT SHIELD.

ACTION OF THE BOARD:

Commissioner Odell moved to grant written permission for the Chatham County Police Association to continue using the current Chatham County Police Association logo which incorporates the Chatham County Police Department shield. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Murray were not present.]

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

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. Renew a nine-month maintenance contract for telephone communications	ICS	Property Technologies (sole source)	\$42,915.69	General Fund/M & O - Communications
B. Renew a six-month software maintenance contract for the Records Management Program	Police	Admit Computer Services (sole source)	\$15,870	SSD - Police
C. Confirm emergency purchase of nine outdoor warning sirens, installation and calibration	CEMA	McCord Communications	\$179,999	SPLOST (1998-2003) - CEMA Equipment
D. Deductive Change Order No. 1 to the annual contract to provide daily janitorial services to decrease the scope of services by eliminating daily service at the CNT building	CNT	Basic's Cleaning Company	(\$9,775.20)	General Fund/M & O - CNT

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
E. Change Order No. 2 to the annual contract to provide high volume paper and chemical products for various departments to recognize a manufacturer imposed price increase on liquid chlorine bleach	Various	Paper Chemical Supply	•Old price \$.88/gallon •New price \$.94/gallon	•General Fund/M & O - Various •SSD - Various
F. Contract to provide replacement heating coils, three replacement heat pumps and associated duct modifications	Detention Center	York International	Not to Exceed \$136,350	•CIP- Bond Proceeds - Jail Improvements (\$121,264) •CIP - Vehicle and Equipment Lease (\$15,086)
G. Confirmation of a contract for environmental service for Slip 1 on Hutchinson Island	SPLOST	Thomas & Hutton Engineering	\$29,500	SPLOST (1998-2003)
H. Month-to-month contract extension for contract labor	Public Works	Eastern Personnel Services	\$6.75 per hour	SSD - Public Works
I. Rental agreement for use of Memorial Stadium for a band jamboree	Parks and Recreation	Savannah High School Band Booster Club	\$950	Revenue to County
J. One-month contract extension for operation of the Aquatic Center	Aquatic Center	Champion Corporation	\$33,500	General Fund/M & O - Aquatic Center

As to Items 6-B through 6-J:

Commissioner Odell moved to approve Items 6-B through 6-J, both inclusive. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Murray were not present.]

As to Item 6-A:

Renew a nine-month maintenance contract for telephone communications; I.C.S.; Property Technologies (sole source); \$42,915.69; General Fund/&O - Communications.

Chairman Hair recognized Commissioner Jackel.

Commissioner Jackel said, my question, one, is why only a nine-month contract and the second part would be what is that breakdown per hour that we're paying these people? Mr. George Lynch asked, what does it break down to, sir? Commissioner Jackel said, per hour that we're paying these people. Mr. Lynch said, I will check that. I don't have that information with me, but I will get it and with your approval will give you a call with it. Commissioner Rayno said, table it. Commissioner Jackel said, so you're okay with us tabling that until we get that info -. I mean, -. Mr. Lynch said, well, sir, I'll be glad to get it. I think this is a valid requirement where you have got the firm which because of the proprietary nature of the system is the only one that is authorized to fix it. With regard to why we have nine months, we are going on a month-to-month basis with them to put a little pressure on them, quite frankly, on some administrative items. That worked. Now we've got nine months in the fiscal year, and we're recommending going ahead with it. Commissioner Jackel said, as I understand this thing, we're paying about \$58,000 a year, would just approximately be -. Mr. Lynch said, yes. Commissioner Jackel said, be what we're paying. Is that for one person to be us full time or do they come and go or -? Mr. Lynch said, they come and go. They do, of course, certain, if you would, PM type functions when they may have three people here. Commissioner Jackel said, okay. Mr. Lynch said, if you've got a call where you need them or they detect with their monitoring that something is amiss in the system, they're going to send somebody down to work it and whatever it takes to keep the system in commission. Commissioner Jackel said, all right. If it's going to cost us approximately \$58,000 a year -. Mr. Lynch said, right around there, sir. I haven't done the math on it, but yes, I agree with you. Commissioner Jackel said, all right. Is there a possibility that we could hire someone full time that could -, who could do that for less money? Mr. Lynch said, my -, off the top of my head, sir, if you've got very sharp, very fine electronics guru, you're going to be paying him with [inaudible] a bit more than \$58,000. The other point is you don't necessarily need one with you at all times, but if you've got a problem you want to be able to have them search for you. So -. Chairman Hair said, and you might need five at one time for a problem -. Mr. Lynch said, yes sir. Absolutely, and then you may go five weeks and not need one. Chairman Hair said, right. Commissioner Jackel said, okay. You answered my question.

Chairman Hair said, Commissioner Kicklighter and then Commissioner Rayno.

Commissioner Kicklighter said, Mr. Chairman, I'd just like to speak after we vote on this. Chairman Hair said, oh, after we vote on it. Commissioner Kicklighter said, yes sir. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, it's really troubling that you only one qualified firm that can maintain the system. The fact that we've got a system with only one qualified person or firm. That does --, it gives them a monopoly to hold us over the barrel any time they want to and we can't go with competing firms for less price, and I have to respectfully disagree with you that we couldn't hire an individual to do this for cheaper because there's a glut right now of IT professionals out there and their average income for them is lowering and going down, going down, going down because they can't find jobs. So I respectfully disagree that we couldn't find somebody to do this job cheaper and do it very well. Mr. Lynch said, let me, if I may, sir, respectfully comment. A good deal of this is not just your hardware. It's not your board systems or your switches, something like that. A lot of it is software, and certainly within the software community if that software comes from a firm, they are the only ones who can work their own proprietary software. That cuts across board. It's not just with this. Just as an observation, sir.

Chairman Hair said, okay. Chairman Hair recognized Youth Commissioner Jackson.

Youth Commissioner Jackson said, I might have missed something, but I want to know, isn't there a purchase [inaudible] for renewing the contract for [inaudible] or change something? Chairman Hair said, this is basically a maintenance contract and maintaining the system, and we have had in the past years we've always had maintenance contracts for maintaining the equipment. This is just a continuation or renewal of the contract we've already had to maintain the system.

Chairman Hair asked, anybody else have any comments? All right, I'll entertain a motion. Commissioner Odell said, move for approval. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Jackel, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioners Rivers and Murray were not present.] Chairman Hair said, the motion passes. I'll recognize Commissioner Kicklighter before I go into First Readings.

Commissioner Kicklighter said, Mr. Chairman, I want to --, I'd like to ask Mr. Phillip Webber if he'd come up front. We just passed as one of our votes allowing CEMA to install nine outdoor warning sirens and I believe in this time when everything we've had going on, this is just an example. I know if something terrible was to happen here these sirens would be used to notify the public to turn on their televisions and all, and if you could just briefly tell us, or tell the public, what the sirens will be used for and where the new ones will go and --.

Mr. Webber said, absolutely. I thank you for the opportunity to do that. Commissioner Murray said, as long as he understands they're not all going on the Westside. Commissioner Kicklighter said, a lot of them are. I mean, a lot of them are. Commissioner Murray said, that's why. Mr. Webber said, a lot of them are. Dr. Thomas and members of the Commission, thank you very much for having us here this morning. We'll have a total of 31 sirens after this project is complete and that should hold us for about three to five years, depending on expansion of recreational facilities in any part of the County. Our primary focus with outdoor warning sirens is to warn individuals of severe weather or other --, some other emergency. It's as simple as that. They're engaged in outdoor activities. We're not trying to warn each and every individual in our County through warning sirens while they're in their homes. We believe that no weather alert monitors and all hazard alert monitors are better utilized for that that people can buy individually, but people engaged in outdoor activities are the ones we want to reach out and touch. We're going to use these sirens for two warning --, two warnings and that's all. One will be tornado warning or severe weather. Tornado warning --, if you hear a continuous three-minute wail on the siren, that means severe weather. That means act now. Seek shelter. The other one will be a high-low pitch on our sirens and that means other than severe weather. That means get to a radio, get to a television, get indoors and find out what's going on, and then it's up to us to make sure that you've got something there to listen to and to read and we'll give you further guidance. I've seen other communities and I've seen other plans where they break it down into too many different options and people can't memorize and internalize all that, so it's either severe weather, get inside, and get to a television or radio for more instructions and that's our program in a nutshell.

Chairman Hair said, I'd also like to say, Phillip [Webber], and the County Manager and the Chief of Police and several other County employees yesterday went to a threat assessment meeting that was set up by Mr. Webber, and it was all the police agencies, national, state, local, and I just wanted to commend you for doing that. I think that was a very, very good meeting and I think Mr. Abolt would agree that it was outstanding --. County Manager Abolt said, yes sir. Chairman Hair said, and I just --, I think you were just very proactive in that and I appreciate you doing that. Mr. Webber said, thank you, sir. Chairman Hair said, it was very educational to me. Yes, Mr. Jackson.

Youth Commissioner Jackson said, since the sirens are used for our weather concerns, how would people in cars distinguish whether to pull over or not? Mr. Webber said, at the very same time you want to have a multiple --, a multiple use of different tools. You want to have something going out over every means that you have. You want to do television, radio, outdoor warning sirens, everything that you can get, and we have partnerships with Peachstate Public Radio and our State agencies and other radio stations that are under FCC regulations to send out broadcasts over your radios, whether it's at home or whether it's in your automobile to give you that same warning that we're sending out here locally. Youth Commissioner Jackson asked, so are you going to let everyone know in public what those sirens mean? Mr. Webber said, absolutely and, you know, that has been the biggest drawback in our program, the biggest void that we have right now is public education and awareness on what those sirens mean and what you should do when you hear one, and that's an ongoing challenge of ours and it's something we're committed to doing.

Chairman Hair said, thank you. Thank you very much, Mr. Webber. Mr. Webber said, thank you, sir. Chairman Hair said, I appreciate it. That takes us to First Reading. Commissioner Rayno said, [inaudible] comment to Mr. Allen. Chairman Hair said, I'm sorry, Mr. Allen. I didn't see your hand. I apologize.

Youth Commissioner Dwayne Allen said, I'm not really sure if I missed it or anything, but where would these sirens be located? Mr. Webber said, we can show you individually. If you want to drop our office I can provide you with a map, I can send it to you where they will be, but there are various locations throughout the County from Tybee all the way to Bloomingdale, primarily located at areas where people are engaged in outdoor or recreational activities or pedestrian activities. We have them in the City parks, just -, golf courses. Chairman Hair said, you know -. Go ahead, Mr. Allen. I didn't mean to interrupt. Youth Commissioner Allen asked, and will it be available -, will the sirens be loud enough for if you're in an isolated area for them to hear it as well? Mr. Webber said, well -. Youth Commissioner Allen said, you focus on the main outdoor activities like a park or recreational center, well, what if someone's in an isolated area by themselves? Mr. Webber said, well, then, you know, then we have some challenges. It's not cost effective at this point. With a complete blank check I think you could set up sirens in every piece of square -, every square mile of the County, but is that cost effective? You have to use the dollars you've been allocated to get the best impact that you can for it, and that's the way we choose to manage it right now.

Commissioner Odell asked, could we get a listing of that too? Mr. Webber said, absolutely.

Chairman Hair said, Mr. Allen. The other Mr. Allen.

Youth Commissioner Carvell Allen said, I wanted to know how would you go about letting the public know the difference between the two sirens? Mr. Webber said, that's a constant thing we have to do through every means we have available. In fact, that's the reason we're dressed the way we are today. We're going to talk to school children today, so it's a little bit more appropriate to reach them. We're in the schools. We have interviews that we do through the press, we have publications that we get out, numerous amount of publications that we get out throughout the year, we have a cable access channel that we utilize, we have an internet site where it explains all our programs on the internet site, so public education and awareness is our first tool -, is our first piece of armor in our entire emergency management program that -, it's something we use first. So we're constantly up and that's what we're doing when there's no emergencies to attend to is out there telling the public what we have available.

Chairman Hair said, I would also suggest to all three of you that you take Mr. Webber up on his offer. I think you would be very impressed to have a tour of our emergency operation center downstairs in the basement and that would cover -, it would cover not just the things you asked about like locations of the sirens and that sort of thing, but it would give you a really good feel for our total emergency operation and it's really impressive if you see this. So you might want to arrange a time -, Mr. Webber I'm sure can make -. Commissioner Odell asked, can we do that for all the Youth Commissioners? Mr. Webber said, absolutely. I'll be glad to do it. I'll arrange that through Van [Johnson].

Chairman Hair said, Commissioner Kicklighter and then Dr. Thomas.

Commissioner Kicklighter said, I'd like to recommend that you possibly get with Pete Nichols and come up with something for the television program there that we have and just showing where we're adding the nine new sirens and also showing where the existing sirens are and possibly to help out just a brief, not long, for a long drawn-out sound, but show the difference on television where you can hear the difference. Mr. Webber said, I agree. Commissioner Kicklighter said, and, you know, let people know. Mr. Webber said, I think we've got our siren on the side program on the channel right now, some parts of it, but certainly anything -, we'll take recommendations to enhance that. Commissioner Kicklighter said, because our new areas where we currently have no sirens, we'll scare them to death unless we get the message out there what's going on, you know. Mr. Webber said, this Board also approved a -, about a year ago, if I remember, Dr. Hair, it -, our plan is to activate those sirens each and every month, the first Wednesday of the month at noon so people -, so we can get those calls, what was that about? Okay, great, it's a wonderful opportunity to educate you on what that was and what it means and what you need to do. So we test them every month. Commissioner Kicklighter said, thank you for doing a great job.

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, I just want to say kudos to Mr. Webber for his leadership last week during the horrific tragedy that we faced along with the Manager when you held the conference call getting everybody on the same page, the Mayor, the Superintendent of Schools, the Chamber and others. I think Chief Sprague and others played a role in that, and I think that was very significant in that we wanted to make sure that the County was ready for anything that needed to be done during that time, and that was my first time having the opportunity to participate in such an occasion, and I just wanted to commend him for that leadership. It was really a wonderful thing.

Chairman Hair said, I think that was also evidenced yesterday, Dr. Thomas, in our meeting, you know, between the Coast Guard and the FBI and everybody, the DEA and [inaudible], everybody was there, and I think it made me feel much better about the communication lines that are established in advance -. Commissioner Thomas said, exactly. Chairman Hair said, and that's really what this meeting was all about yesterday and the capability and that sort of thing. Thank you, Mr. Webber. Mr. Webber said, thank you.

ACTION OF THE BOARD:

1. Commissioner Odell moved to approve Item 6-B through 6-J, both inclusive. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Murray were not present.]
2. Commissioner Odell moved to approve Item 6-A. Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Jackel, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioners Rivers and Murray were not present.]

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XI. FIRST READINGS

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

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

1. **REPORT ON SUBSEQUENT ACTION TAKEN BY THE PLANNING COMMISSION REGARDING MPC FILE NO. Z-010612-37306-1 (REFERENCE FILE NO. 98-12425-C), PETITIONER, JAMES B. BLACKBURN, JR., AGENT FOR OWNERS HOMER CURTIS JENKINS, III, AND MARVIN C. JENKINS.**

Chairman Hair said, we have sort of an unusual thing here this morning. I'm going to suggest that --, remember we can't take any action on First Readings. No vote is taken. A vote is always taken on a Second Reading and our policy has been that the Commissioners ask questions but no one else asks questions on First Readings, and I would suggest that we continue that rule. So I'm going to read it into the record. If any Commissioner wants to make a comment, we'll take debate on the Second Reading, which will be two weeks from now. Report on Subsequent Action Taken by the Planning Commission Regarding MPC File No. Z-010612-37306-1 (Reference File No. 98-12425-C), Petitioner, James B. Blackburn, Jr., Agent for Owners Homer Curtis Jenkins, III, and Marvin C. Jenkins. I read that into the record. Does any Commissioner want to make a comment? Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, my question, Russ [Abolt], is what is this even being doing back here? What's it even coming back to the County for? We've already gone over the condemned part of the property to put the road in. We turned it down when it first came up to us. Why is it coming back? County Manager Abolt said, well, that would come out in your public hearing next time. I have a somewhat jaded look at it, but I will ask --, I will answer you candidly. I believe it's to enhance the value of the land in advance of the condemnation you referenced, but that's one man's opinion.

Chairman Hair said, well, I just think it's --, I've been on the Commission five years, I've never seen one like this --. Commissioner Murray said, no. Chairman Hair said, presented like this, and I have a real problem with the way this is presented. I don't know who decided to do this, but I would appreciate in the future that it not be done this way because this is very unusual.

ACTION OF THE BOARD:

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

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- OR -

2. **THE PETITIONER, JAMES B. BLACKBURN, JR., AGENT FOR OWNERS HOMER CURTIS JENKINS, III, AND MARVIN C. JENKINS, IS REQUESTING THAT A PORTION OF A LOT SHOWN ON THE COUNTY TAX MAPS AS A 0.3 ACRE PARCEL LOCATED ON WHITEMARSH ISLAND AT 1032 OLD OATLAND ISLAND ROAD AND A PORTION OF AN ADJOINING 0.7 ACRE UNDEVELOPED PARCEL BE REZONED FROM AN R-1 (ONE-FAMILY RESIDENTIAL) ZONING CLASSIFICATION TO A P-B-N (PLANNED NEIGHBORHOOD BUSINESS) CLASSIFICATION TO ESTABLISH AN OFFICE, RESTAURANT OR RETAIL STORE. THE MPC DID NOT SUBMIT A REPORT WITHIN A**

**30 DAY PERIOD FROM THE DATE THAT THIS PETITION WAS SUBMITTED AND, IN ACCORDANCE WITH SECTION 11-2.6 OF THE CHATHAM COUNTY ZONING ORDINANCE, IS DEEMED TO HAVE APPROVED THE REQUESTED CHANGE.
MPC FILE NO. Z-010612-37306-1 (REFERENCE FILE NO. 98-12425-C)
[DISTRICT 4.]**

ACTION OF THE BOARD:

Chairman Hair did not read this alternative item into the record. See Item #1 above.

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XII. SECOND READINGS

Note: An additional second reading item is under "Tabled/Reconsidered Items."

- 1. AMENDMENT TO THE CHATHAM COUNTY SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE IN ORDER TO RETAIN "ISSUING AUTHORITY" STATUS UNDER THE GEORGIA EROSION AND SEDIMENTATION CONTROL ACT OF 1975 (O.C.G.A. 12-7-1 ET SEQ) AS AMENDED.
[ALL DISTRICTS.]**

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

County Attorney Hart said, Mr. Chairman, I'd just like to make one point about that sedimentation. We really don't have a lot of choice about the changes being made because they're State mandated, and if we want to keep the right to enforce that ordinance locally rather than go on to Atlanta, we're going to have to pass that, but I wanted to make the Commission aware that the amendments now require mandatory fines for violations of that ordinance. Some of them are quite stiff, and we're getting ready to send out notifications to the homebuilders and the developers that that provision is in the ordinance and they can take away our local rights to enforce the ordinance if we do not pass those and enforce those mandatory fines. So if you start hearing about that, we're putting out notice on it.

Chairman Hair said, okay. Thank you, Mr. Hart.

ACTION OF THE BOARD:

Commissioner Odell moved to approve an amendment to the Chatham County Soil Erosion and Sedimentation Control Ordinance in order to retain "Issuing Authority" status under the Georgia Erosion and Sedimentation Control Act of 1975 (O.C.G.A. § 12-7-2, et seq.), as amended. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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- 2. REVISIONS TO THE CHATHAM COUNTY RIGHTS-OF-WAY ENCROACHMENT ORDINANCE AND AMENDMENT TO THE CHATHAM COUNTY REVENUE ORDINANCE TO REFLECT AN APPLICATION FEE.**

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

ACTION OF THE BOARD:

Commissioner Odell moved to approve revisions to the Chatham County Rights-of-Way Encroachment Ordinance and amendment to the Chatham County Revenue Ordinance to reflect an application fee. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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XIII. INFORMATION CALENDAR

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

ACTION OF THE BOARD:

Written report received as information.

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

ACTION OF THE BOARD:

No items were presented for this meeting.

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- 3. **ROADS AND DRAINAGE REPORTS.**

ACTION OF THE BOARD:

Written reports on roads and drainage were received as information.

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EXECUTIVE SESSION

Upon motion being made by Commissioner Jackel, seconded by Commissioner Odell and unanimously approved, the Board recessed at 10:35 a.m., to go into Executive Session for the purpose of discussing litigation and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 10:55 a.m.

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ITEMS FROM EXECUTIVE SESSION

- 1. **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 Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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APPOINTMENTS

1. VETERANS COUNCIL OF CHATHAM COUNTY

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the appointment of Dr. James E. Hissam to serve on the Veterans Council of Chatham County to fill the position previously held by the late General Charles Davis, which term will expire December 31, 2002. Commissioner Jackel seconded the motion and it carried unanimously. [NOTE: Commissioner Rivers was not present.]

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ADJOURNMENT

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 10:57 a.m.

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APPROVED: THIS _____ DAY OF _____, 2001

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

SYBIL E. TILLMAN, COUNTY CLERK