

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, OCTOBER 19, 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, October 19, 2001.

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**II. INVOCATION**

Commissioner Harris Odell, Jr. 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. [NOTE: District Three is currently without a representative.]

PRESENT:	Dr. Billy B. Hair, Chairman
	Dr. Priscilla D. Thomas, Vice Chairman, District Eight
	Frank G. Murray, Chairman Pro Tem, District Four
	Jeffrey D. Rayno, District One
	Joe Murray Rivers, District Two
	Harris Odell, Jr., District Five
	David M. Gellatly, District Six
	B. Dean Kicklighter, District Seven

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

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**YOUTH COMMISSIONERS**

Chairman Hair welcomed the following Youth Commissioners who were in attendance: Mr. Patrick Callahan, a sophomore at Windsor Forest High School, and Ms. Ciarra Callis, a sophomore at Savannah High School.

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**V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

**1. PRESENTATION OF THE GOVERNMENT FINANCE OFFICERS ASSOCIATION DISTINGUISHED BUDGET AWARD TO CHATHAM COUNTY, GEORGIA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2000 – THE 12<sup>TH</sup> CONSECUTIVE YEAR CHATHAM COUNTY HAS RECEIVED THIS AWARD.**

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Dr. Hair and gentlemen, first of all I'd like to apologize for Mr. Persaud. He has commitments for a PTA meeting and is running a little bit late, but I did want to take this opportunity to recognize David [Persaud] and his staff. These ladies and gentlemen are very special, as you know, in the most critical time of this municipal corporation each year when we put our budget together. It was over 13 years ago that I had the good fortune to be able to select David Persaud as the Finance Director for Chatham County. Shortly after I appointed him I asked him to in effect prepare our first application in competition for the most prestigious award a community can receive from the Government Finance Officers Association recognizing the thoroughness, the readability and understandability of budget documents. As all of us know who follow it, sometimes budgets can not only be boring, arcane, but also confusing. This award recognizes that special people make that information understandable. Now for the 12<sup>th</sup> year in a row we have received that award. It is the same type award you see in these square brass plaques on that wall. Mr. Persaud has the award at the PTA meeting so we'll not be able to place it, but it's going to go right over there in the corner where you might be able to see that nail. But these ladies and gentlemen, so integral a part of that budget staff, have made it possible for us to do truly the unbelievable, the unthinkable that for 12 years in a row, possibly like no other community in this country, we have won that award. I'd like to have Read DeHaven introduce the staff. He is our lead budget officer. Read [DeHaven], please.

Mr. DeHaven said, we have Rhonda McCullough, Estelle Brown and Chris Morris, and they are the team that are responsible for this award. Chairman Hair said, congratulations to you folks.

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**VI. CHAIRMAN'S ITEMS**

None.

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**VII. COMMISSIONERS' ITEMS**

**1. APPROVAL OF F-2 REAPPORTIONMENT PROPOSAL (COMMISSIONER KICKLIGHTER).  
*NOTE: CONTINUED FROM MEETING OF OCTOBER 5, 2001.***

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. I've had the opportunity to work with the Board of Education and the MPC on this reapportionment proposal. I want to first of all state that I've heard that possibly this thing needs to be tabled to a later date so people can look at it. I want you to know I don't believe that's the right thing to do. I believe the people that's so concerned now about this should have attended the meetings. I believe that I've been at every meeting on this, as well as Commissioner Gellatly here. We have worked hard with the Board of Education to come up with a compromise that both boards can agree on to redistrict this County, and to come in at the last minute and all of a sudden show this concern is just out of line because those people should have been there earlier. We need to work through this now. We struck a compromise with the Board of Education, and let's –, let's talk partisanship here, to be realistic here. I'm talking to everyone here. This current plan, the reason why it'll work is because the Democrats aren't happy with the current plan and the Republicans aren't happy with the current plan. That's why it's a good plan. It's called a compromise. If one or the other realistically is thrilled to death with this plan, it's not going to pass because we have a Republican majority on this County Commission and we have a Democrat majority on the Board of Education. So if either is completely thrilled, it will not pass and the State of Georgia is going to redistrict Chatham County, and judging by their recent efforts with the

State of Georgia on redistricting, I do not believe that's the best thing for this County whatsoever. So we've worked hard, and we've really been there. Three different meetings. Three different workshops. We went through at the last meeting person by person on the Board of Education and asked if they could approve the F-2 Reapportionment Proposal. Every person there stated that they could support it with the exception of one. This person wasn't thrilled with it, but he understood. That's what we have to have is a majority here. I'll ask all of you to do your duty. We do not want the State of Georgia to redistrict Chatham County, and if this is not in the mail approved by November 15<sup>th</sup>, in the mail approved by both this Republican majority and that Democrat majority over there, then the State of Georgia's going to do it. So I challenge each of you, you know, step up to the plate today and pass this thing because –, I'm sorry for saying this and I hope I don't offend you, you didn't step up to the plate on planning for this thing so don't come in at the last minute trying to say how this thing should be districted when you weren't there to do it before. And I'm sorry, I'm not trying to offend anyone, but it's offensive to me that I took off from work and spent my hard time working on this thing to try to get something passed, and at the last minute all of sudden we've got people concerned. If you weren't concerned before, check out what we've worked hard to get done and let's approve something here. Do our duty. It's not the State of Georgia's duty to redistrict Chatham County. We have that duty and we need to do it now. So please I ask all of you, don't table this. Let's approve it and let the Board of Education approve. It's not perfect, but it works. Everybody is decently happy with it. So I'll make a motion to approve that F-2 Reapportionment Proposal. Chairman Hair said, I have a motion. Do I have a second? Commissioner Rayno said, second. Chairman Hair said, okay, I have a second.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers asked? Is Mr. Newton in the house? Mr. Clyde Wester said, Milton [Newton] is out of town today. Commissioner Rivers said, much to the emotions of my colleague, I attended two of those meetings in the planning, so I was there from the beginning and objected from the beginning to the maps were drawn. Secondly, on October 1<sup>st</sup>, the Chairman, myself, Commissioner Odell, Commissioner Thomas would have been out of the City. I asked Gail [Gordon] to inform the Chairman and let Milton [Newton] know that we were going to be out of town. That meeting should have been cancelled. No two Commissioners, no two Commissioners can draw a map for nine Commissioners. That's out. That's totally unacceptable. That's my objection to it, and if my colleagues see fit to do that, it's all right with me, but I will let you know that I have a Plan B, and for the record here, I want everybody to understand that this map was drawn without the input of the minority board members and approved without the input of the minority board members, so I will object to it. Now Milton [Newton] is not here and he can't tell me whether Gail [Gordon] contacted him or not, but that's the way that is. Now just like anybody else, I sacrifice a whole lot of time for this County and take away a whole lot of time from my work to do things that's in the best interest of this County. So my colleague isn't alone in sacrificing his time. We all do it. We all sacrifice our time. Commissioner Kicklighter said, please if I could on that –. Commissioner Rivers said, you can rebut now, but I've got the floor, and when I've got the floor, I didn't say anything while you were there –. Commissioner Kicklighter said, all right. Commissioner Rivers said, so the floor is mine and when you get it, you can rebut.

Chairman Hair said, and also, Commissioner Rivers, we will stay in order. Commissioner Murray is next and I'll recognize you after that. All right, Commissioner Rivers.

Commissioner Rivers said, but, you know, this map that they've drawn, and I don't want to delve on it or what we're trying to do, but my district has been decimated more so than anybody else, and my district has been diminished more than anybody else. So I don't have a problem with that, but I'm going to sit down at the table and I'm going to cut these cards before there will be any dealing.

Chairman Hair said, Commissioner Murray and then Commissioner Kicklighter.

Commissioner Murray said, yes, I can appreciate Commissioner Kicklighter's comments, but again I was at one of those meetings. The other meeting on a Saturday morning at 10:00 –, at 11:30 in the morning I got a call to be somewhere with National Guard for airport security training. I was not able to be at the one on the 1<sup>st</sup> because I'm on active duty, so I think you're being a little harsh with this total Commission by your comments. And, again, you don't have to keep apologizing to all of us. We know where we're all coming from. I also know the Fourth District population-wise is the largest district in the County right now and I know that we're going to have to give up portions of that district as we did the last time when it was processed. Is there any portion of that district I want to give up? No, but I know we have to and I think we need to look at those maps and look at the geographical areas that need to be done, not do it based on party affiliation and I think we'll come out with a whole lot better map. Now if we have to accept the one that's out there right now, then so be it, we'll live with that. I don't think it's the best way to carve a map out, but nevertheless it's there and there's been a lot of work put into it and I would agree with that. Do we have to do it today? No, we don't. We will have to do it on the 3<sup>rd</sup> [sic] at our next meeting, but I think that gives us two weeks to look at it and see if those things that need to be compromised again on we can compromise on and move it forward. Again if we have to approve the map that's there right now, so be it. I'll probably go ahead and vote for it to do it, but I will vote for a table also when the motion is made to do so.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I just want to state that one statement was very unfair from Commissioner Rivers. The insinuation that minorities were not involved or were not present to vote, minorities were invited to every meeting and that's not any white person's fault that the minorities on this board didn't show up, so I take exception to that comment. That's ridiculous and I'm insulted by that comment because you were invited and involved and it's not my fault that the majority of the minorities did not show up. So I don't appreciate that comment. As far as the other Commissioner's comments, there were three meetings, not one or two, and we worked hard there. And again, coming in at the last minute with all this

concern, this board should have been there. We have a duty and if everybody's so concerned, you should have been concerned in the beginning when everybody else was working hard. The majority of the Board of Education was there, and the minorities on the Board of Education, the majority of the minorities on the Board did approve this F-2 Apportionment –, Reapportionment because they were there. But the only reason, you know, I don't know why, but everyone was invited. This was not an exclusion –, excluding anyone out of the process. Everyone's been invited, and that's just a bad comment. Let's do our duties and pass the thing today.

Commissioner Rivers asked, can I have a rebuttal, Mr. Chairman?

Chairman Hair said, let me make a comment, Commissioner Rivers, and I'll be glad to recognize you. I do think that we should delay this until November 3<sup>rd</sup> [sic]. I think there's a lot of issues out there that I think we could deal with in the next two weeks. We would not in any way jeopardize the State coming in and redistricting by –, if we delay this today. I do think at the appropriate time it would be –, I'd entertain a motion to table this. Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, you know, there's a process that we go by in doing this. Certainly we had three meetings. I missed one of those meetings, but the process was to leave certain maps on the table. Now if I requested, and I think any Commissioner has a right to request a delay in a meeting, and I was not there and this map was put forth without my input, then I have a problem with it. Just like Commissioner Kicklighter, if he wasn't there, he'd be in the same position I guarantee you that I am in now. But albeit, I don't worry about the map. Y'all can approve it today, y'all can approve it tomorrow –, it won't go today, so you can forget about that. I'll make sure that won't go today, but then I have a Plan B too, so it won't go –, I don't think it will go at all.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, procrastinators we are. We delayed this at our last meeting because Dr. Thomas was not here. During that two-week span, where was the studies for this group of procrastinators? We had two weeks since the last meeting when we tabled this item to look at it and bring your problems forward, but, no, we're a group that likes to wait to the last minute and just jump in at the last minute and stir it all up. Why can't we plan around here? Why can't we actually plan? When are –, are we going to table it again and then just look at it the day before or are we going to actually have a meeting with the Board of Education? I mean, what are we going to do? We tabled the last time. Where were the people looking? Where were the meetings? What went on? Are we going to table and do nothing and just come back and carry on this conversation next time kind of like we did the budget? Probably. And, you know, my fellow Commissioner next to me here, he suggested planning. The future budget's coming up, have meetings before it actually gets here. Why don't we take that concept in everything we do? Let's plan instead of waiting until the last minute because I know you're going to table it today. There are probably –, it's probably a 90% chance there won't be a meeting. We'll sit right here next time and do whatever with no input. So, you know, I just challenge all of you, you've had ample time to check this out, you've had ample time to discuss this, to change it, to put in your thoughts. You didn't do it. So when do we stop as a group procrastinating and start planning for the future and moving forward? That's what –, that's what I'm trying to do here and I believe my fellow Commissioner was there trying to do, and we need to pass the thing and move forward.

Chairman Hair said, Commissioner Gellatly and Commissioner Murray.

Commissioner Gellatly said, first of all, I appreciate the spirited comments on both sides. I have a concern in that at the last meeting that I attended, it appeared to me that the School Board, which almost all of the School Board was there, had come to the conclusion that it was a fair compromise, and it was my opinion or my observation that probably the vote on the School Board right now is going to be eight to one for it, and, my concern –, my question I guess would be have they already voted to approve it and what would happen if they vote to approve it while we're still sitting on it? Just as an observation. I don't know.

Mr. John Howell said, Mr. Chairman, John Howell, Planning Commission. I talked with the School Board yesterday and they're having a special meeting on October 29<sup>th</sup> at 3:00 o'clock to discuss this item. Chairman Hair said, thank you.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, you know, just because we were not able to make one or two of the meetings does not mean that we weren't concerned and it does not mean that we did not have input, that we did not talk to people about this. I talked to my counterpart on the School Board about this in great depth. We were in agreement with some things. I also called since our last Commission meeting and talked with Milton Newton about several things that are on the present map that you want to approve today to ask questions and put input –, to have input to it. You know, I don't know why you're afraid to table it until our first meeting in November when it doesn't have to be in until the 15<sup>th</sup> to give a little bit more time for a little bit more discussions. Who's to say that the School Board may not bend a little bit if some of these changes are made? Commissioner Kicklighter said, Mr. Chairman, Mr. Chairman. Commissioner Murray said, I'm not through yet. Commissioner Kicklighter said, I'm sorry. Commissioner Murray said, and no one knows that, but I'm tired of sitting up here on this Commission and having another Commissioner publicly criticize everyone of these Commissioners up here for not doing a job when you don't know the circumstances of each one of us on where we are and what we're tied up in and what we're involved in. I represent my district and I think I do a good job representing that district. Does everybody agree with my decisions? No. Does everybody agree with yours? No. They don't agree with any of us all the time, but I think we all do a good job doing the best we can to represent the people on a part-time basis, and that's we're

considered, part-time Commissioners. I don't consider it part-time, I think we're full-time, but nevertheless, I feel like it's something that can be worked out. I don't think it's going to affect anything. You know, if you're afraid that the areas that you've wanted and you got back in your district during these discussions are going to go away, I don't think that's going to happen. Your district's fine. It's going to be protected. And I don't think it's a question about whether we have certain parts of our district in or out. That's not the question. The question is is it the best map for this community and for the citizens that are represented in this community, and I think that's the discussion that we should be having, not who can get reelected based on the present maps and who can't be reelected on the present maps. That's not the point at all and that's not what it's all about, and I will make a motion to table. Commissioner Rivers said, second.

Chairman Hair said, motion to table and a second. All those in favor of tabling the motion vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Murray and Odell voted in favor of the motion to table. Commissioners Rayno, Gellatly and Kicklighter voted in opposition. The motion to table carried by a vote of four to three. [NOTE: Commissioner Thomas was not present; District 3 was without a representative.] Chairman Hair said, the motion passes.

#### **ACTION OF THE BOARD:**

1. Commissioner Kicklighter moved to approve the Alternative F-2 of the Reapportionment Plan be approved. Commissioner Rayno seconded the motion.
2. Commissioner Murray moved to table the issue of the vote on the Reapportionment Plan until the next meeting. Commissioner Rivers seconded the motion. Chairman Hair and Commissioners Rivers, Murray and Odell voted in favor of the motion to table. Commissioners Rayno, Gellatly and Kicklighter voted in opposition. The motion to table carried by a vote of four to three. [NOTE: Commissioner Thomas was not present; District 3 was without a representative.]

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#### **2. MOVING TOWARDS E-GOVERNMENT (COMMISSIONER RAYNO). NOTE: CONTINUED FROM MEETING OF OCTOBER 5, 2001.**

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, thank you, Mr. Chairman. I've been attempting over the course of a few months to try to make things proactive in our government to try and make changes so that we're not always in a reactive phase. I think one of the things that we could do as a Commission to make our staff and our operations more productive would be to try to utilize modern technology in the operation of our government, and I know that Lewis Leonard has done a great deal of work toward that and he's been hampered in some aspects by the budget that he's not allowed to move forward as far or as quickly as he'd like to do, but sometimes when we try to do things in-house, it tends to be a little bit more expensive than when we have to do to make it work. Sometimes we could use outside solution providers that could bring this about and do it less expensively and do it with more productivity, and we've been receiving in the mail numerous correspondences concerning E-government, and it's been in all the trade magazines that relate to us, and we see cities all around us across the nation that are going to E-commerce and E-government and it's making their operations more efficient. A person can go on line, for instance, and pay their taxes, pay a fine for the Police Department so they don't have to drive downtown, get a parking space, stand in line, pay their ticket and then go home. They can just sit at home 24 hours a day, get on line and pay their bill. We also see around the country in the permitting process people that want to build houses could submit their plans via CAD, ship it into the Inspections Department, they make corrections, ship back to the builder, and in one day they've gotten an approved plan. But the way the process works now is they're bringing their paperwork, plans are looked at and studied and then sent back and then new plans are drawn up, and it becomes a very tedious nonproductive process and it wastes a lot of staff time. If a person wants a service in the surrounding communities, all they do is go on the Internet, tap in what they want and they can track the progress of getting their ditch cleaned, per se. Now I know that not all people are able to use the Internet or to use computers, so you would still need to have the human factor involved. A lot of these solution providers give you a hybrid type of operation of where you have a triage type of situation where you call into a central number, that person figures out the problem and sends it out to the appropriate department and then they also give you the ability to have a web access. So all I'm suggesting today is that we might ask Lewis [Leonard] to look into these companies and allow them to at least give us presentations here before the Commission and show us how they might save us money or how they might make an E-commerce situation or an E-government situation operational within less than 90 days, and many of these companies can do that. And if we do move forward with a company like this, I would suggest three things. I would suggest, number one, that we select a solution provider that doesn't necessarily use proprietary software but allows third-party vendors to come in and also offer solutions based on their particular software. I would also that perhaps a solution provider would use XML technology which would not force us to spend all of our time scanning and transforming documents to fit that particular software. It could take [inaudible] files, it could take text files, it could take J-pegs [phonetic], whatever. And I would also ask that we would make an attempt to group together with other municipalities in this solution so that we're not trying to do it ourselves. Many communities around the country have grouped together in consortiums and gone to a solution provider and asked for their help and they've found that to be a very cost-effective way of to get into E-government. And all I'm asking for today is for the Board of Commissioners to direct staff to possibly look into this and have presentations come before the Board so we could see if it would work.

Chairman Hair asked, without objection? Okay.

**ACTION OF THE BOARD:**

The staff was directed to look into companies that offer E-government or E-commerce and request them to make presentations to the Board of Commissioners on how they could save the County money and increase productivity.

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**3. DISCUSSION REGARDING DRUG COURT [JUDGE BASS TIME CERTAIN 11:00] (COMMISSIONER ODELL).**

Chairman Hair said, Judge Bass will be here at eleven o'clock for the presentation on the drug court.

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Chairman Hair said, I'll recognize The Honorable Judge Bass to talk to us about drug court. It's good to have you here, Judge.

Judge James F. Bass, Jr., said, thank you, Mr. Chair. First I want to thank you for inviting me here. Just to give you an idea or an update about what's happening in the drug court, we have been operating approximately two weeks. We've been in the planning mode for approximately a year and a half. We have taken in two individuals in the program so far. We're looking at adding seven additional people to be employed in the next two weeks. The drug court is designed to look at those individuals who are currently on probation for drug offenses who have tested positive for drugs while being on probation. So we have a really narrow category we're looking at now. We're going to won't extend beyond that. The whole idea is something you already know that [inaudible] have a problem with drugs in our community, and we haven't been able to attack the problem successfully by just looking at the supply of drugs coming in our community. We need to look at demand and changing behavior by getting those people who are addicted into treatment and treating them with close court supervision along with monitoring. It appears to be very successful. I think the Brunswick model is the one we pattern ourselves with. It's [inaudible]. To give you an idea of how serious a problem it is, right now over 60%, actually 68% of probationers are testing positive for drugs in Savannah, Georgia. Those who are involved in the drug court in Brunswick, only 4% have tested positive. I could go into this further, but -, so there's a big difference and I think it will make a big impact. But it always gets down to the question of you know what. M-O-N-E-Y, and right now we've been fortunate to have in hand \$62,000 to carry us to next year, which is funds from the State and we do have available an additional \$48,000 drug education money, which is actually funneled by [inaudible] to begin, I guess, but we're going to need additional funds as we go along.

Chairman Hair said, Judge, we're meeting with our legislative delegation next Thursday to go over our wish list. Would it be helpful if we stressed to them the importance of the drug court and tried to get some assistance at that level? Judge Bass said, I certainly would appreciate that.

Commissioner Rayno asked, have you asked the Regional Board for any funds? Judge Bass said, we did and I'm trying to remember -. Commissioner Rayno asked, Ralph McCuen? Judge Bass said, yes, Mr. McCuen, and they've had a lot of changes in that operation, as you know, and we did make a request with them because I know that they may have suspended funding to Gateway. I know that we did have an application with them, but we haven't gotten anything back on our request.

Commissioner Murray said, you say your funding that you have right now is through the end of the year. Is that on a calendar year or -. Judge Bass said, it's on a fiscal year. Commissioner Murray said, fiscal year. Judge Bass said, yes, actually it will be -. We have available from January -, I'm looking at next year, January 2<sup>nd</sup> to June 30<sup>th</sup> of next year we have approximately \$62,000 available to us from the State Criminal Justice Coordinating Council. We have \$48,000 available for drug treatment and education fund, which comes from surcharge from fines resulting from drug cases. So I think that's the total amount of money we have available. Now we put in an application earlier this year for a Federal Drug Court Grant in the amount of \$250,000. That grant application was denied. So we envisioned of having approximately 200 participants. Of course, without having that money we can't even get close to that.

Commissioner Murray said, Jon [Hart], and I think I know the answer, but it might be something that we need to talk with our delegation about too when we meet with them. On confiscated funds, I know that can only be used for law enforcement right now. I didn't know if a percentage of that could be diverted into this because it would cut down on crime if it's working like -, as well as he said it worked in Brunswick. I don't know what all the detail guidelines and stuff are for that. County Attorney Hart said, the guidelines on confiscated funds are pretty doggone strict. Commissioner Murray said, well, that's what I thought it was. County Attorney Hart said, and they were set up that way because they were afraid, not necessarily with the drug court, but, you know, you keep wandering further away from the original principle, so they made them so doggone tight that unless you just about buy a police car or a gun or something, you're pretty limited what you can use it for.

Chairman Hair said, it is something though I think -, Commissioner Murray is correct, we need to talk to them about it. Commissioner Murray said, I'm not saying we take a large portion of it out, but if it could be set on a percentage basis or

something. County Attorney Hart said, if there's some equipment that's law enforcement equipment that's within the, you know, drug court, which I don't know right off the top of my head what that would be, but there might be some item that would be, you know, eligible. The Judge and I have talked some --.

Judge Bass said, I think that we might be able to get monies for that, but just doing equipment [inaudible]. County Attorney Hart said, I'd have to look at that. It seems like there's a capital expenditure requirement, and I don't know if that would fall under that ordinary maintenance. There's some pretty good --, pretty detailed guidelines. I can look at that, but if you could look through your stuff and kind of come up with a list of maybe ten things that you think may be maybes, we could look at them and see and maybe we'll get lucky and get a couple of them qualified. Judge Bass said, I do want to say this, that Mr. Hart has been very helpful in identifying a possible [inaudible] drug treatment education fund and the surcharges arising from that fund. [Inaudible] through us with the understanding that's going to be used for drug treatment alone. Of course, that's a restriction.

Chairman Hair said, Commissioner Kicklighter has a question for you, Judge. Judge Bass said, sure.

Commissioner Kicklighter said, Judge, I just want to say I was honored to sit in on one of your original meetings before this idea was put in place and I'm glad that you're able to do this and I'm going to support you and try to help find the funds however possible, but I just also want to comment, I believe it's pretty exciting for our CNT officers also. This kind of will give our police reason for or some validity in arresting drug users off the streets because we actually have something now that can help get them off the streets and keeping a good watchful eye over them. They can rehabilitate them where before I know it was discouraging with the judicial system with the amount of people in jails, they would go in, the police do a great job arresting but, you know, out pretty quick, and this has actually impact where CNT will be able to get out there and not only be --, making the major arrests on the drug dealers, but now we can do the sweeps and have you there to help rehabilitate these people. So I'm excited about it and support you any way possible.

Judge Bass said, one thing I'll add to that, Commissioner Kicklighter. As a part of this team concept we have individuals involved in law enforcement to meet with us weekly to look at the potential applicants and assist us in the screening process. CNT [inaudible] that and Mr. Smith, and we have one officer that's actually assigned to us, Freddie Praylo. He knows the streets, he knows who's using and who's not, and if not using, who's dealing, and he gives us [inaudible] information.

County Manager Abolt said, just a comment and very consistent with what Commissioner Kicklighter has said, I certainly on behalf of the staff would like to thank Judge Bass because, as all of you know from the orientation on this, it isn't just something that's foisted on Chatham County. It requires the commitment of a judge, and having Judge Bass stand forward in this time of need is very special to Chatham County. Judge Bass said, thank you. I appreciate it very much.

Chairman Pro Tem Murray said, we appreciate you coming. Commissioner Kicklighter said, thank you, Judge.

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#### **4. MENTAL HEALTH IN CHATHAM COUNTY (COMMISSIONER ODELL).**

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, thank you, Mr. Chairman. I guess in 1999 the mental health for the State of Georgia was cut approximately \$12 million. That had a dramatic impact not only on those in Chatham County but those in Effingham, those in Bryan, and throughout the State of Georgia. It's interesting to note that in that year in which we cut \$12 million from mental health in the State of Georgia, we gave I think it was \$17 million unallocated funds to the various State representatives for programs and projects which were undesignated. It occurred to me at that point that perhaps at the State level and even at the Federal level that we have forgotten those who need us the most. It concerned me that those people who suffer from mental retardation or mental disabilities were the first to be cut in a prosperous year. I grabbed the paper and I --, it appears from --, and I think we have a representative from the Homeless Authority --, that there might be a question as to whether or not services for mental health, mental retardation, substance abuse, that we need to revisit them. There are those who will argue that change, perpetual change is not good and, therefore, we should stay the course with our current system regardless of whether it benefits Chatham County or not, whether or not we're gaining the maximum benefit from the dollars being spent. To those people who suffer from mental health and mental retardation, any proposal that comes from this Commission will never be designed to reduce your benefits. It will be designed to review whether or not we are a freestanding consumer or CSB, and for those who aren't familiar with the CSB terminology, it's Consumer Services Board, Joe [Rivers]? Commissioner Rivers said, Community Service Board. Commissioner Odell said, Community Service Board, and I've talked to fellow Commissioners and I've talked to those in the area, some representatives at Memorial Medical Center, the Homeless Authority, and others, and what I'd like to propose is that we conduct public hearings over a period of a couple of weeks to allow all the input from a --, the myriad section of this community to determine whether or not we would be advisable to have a localized board for Chatham County. Some people are concerned that Chatham County has the highest level of population and service and those who would utilize the services. It offends me that we are the largest population in the eight counties, but yet there is very little control exercised over the destiny of those people who suffer from mental health, mental retardation and substance abuse by Chatham County. I do not think that it's heresy for us to review and to determine whether or not what we're doing now

makes common sense. And there's a personal reason that I take this liberty to review. I practice law and I see that when we had the change in '99, there were a lot of people who suffered from mental health, mental retardation, who literally fell through the cracks and because many were unable to get their medication, some psychotropic drugs, they would act in a behavior that would lead them to the criminal justice system, and I think that the Sheriff of our County can verify that the amount that we spend per year for psychotropic drugs for inmates has almost tripled. I am concerned that people with mental health and mental retardation should be treated and not incarcerated. I'm concerned that without a direct emphasis on Chatham County where the major problem exists, I can't help what happens in Effingham County. [Inaudible] compassionate and I'm concerned. My concern is for Chatham County. I've talked to fellow Commissioner Rayno and we'd like to hold public hearings to look at the feasibility of establishing a Community Service Board, and with that I'll yield to other Commissioners.

Chairman Pro Tem Murray recognized Commissioner Rayno.

Commissioner Rayno said, I just wanted to thank Commissioner Odell for putting this on the agenda. I'm on the Regional Board and I can tell you that we get so many calls from people that are concerned about the level of services that are received, the fact they live in Chatham County if they've got substance abuse, they have to go all the way to Darien for treatment. That's not right. They should be able to be treated in Chatham County, and I worked on the mental health field from 1979 through about '84 in various mental health facilities in New York and in Florida, and I can tell you that when the people are treated properly with medication and given the proper counseling, they're as harmless as anybody. They do not need to be in jail, but if we continue on with this process of not giving them treatment and not giving them the services they need, we're going to continue to fill the jail with people who don't need to be there. And it comes out of your tax dollars threefold when they're in the jail, and it would be so much more cost-effective to have them in outside treatment services. And for people to say this is a bad idea, is being turf protection as far as I'm concerned, and I'm looking forward to these public hearings so that people can come and speak out about what they need in this community. It's time for this to happen. We've neglected it for too long, and for that I'm really sorry. Thank you.

Chairman Hair said, we don't really a motion for public hearings. We have the power to have public hearings and we would not need a motion to do that. I would also agree this is a very good idea. I do think that our problem in mental health services is systemic and it's not just something that just occurred. I think we need to look at the whole system of providing services, and I commend Commissioner Odell for putting this on the agenda so we can -. What we need to do, Russ [Abolt], is look at the possibilities of establishing the public hearings and when would be a good time to do it, I would think, and we can do that anytime we want to. Make sure we give proper notice, where Pete [Nichols] gets the word out to the public about when these might be. We probably should start with one and see how it goes, you know, and then decide at that point if we need to have two or three more or whatever, but I do think we need to do that. Probably within the next 30 days. Commissioner Odell said, yes. Billy [Hair], what I'd like to see, I'd like to see us do one in the day and one in the afternoon for those people that have to work, and it, you know, Jeff [Rayno] and I will kind of co-chair this, if that's okay with everyone. Chairman Hair said, I think that's very good. I think that's a good idea. Commissioner Odell said, and so there we go, we have bipartisan. Chairman Hair said, I do think it's a good idea to have one in the evening. [Inaudible] on the same day, but it's a good idea. Okay, thank you.

#### **ACTION OF THE BOARD:**

Staff was directed to schedule within the next 30 days two public hearings (one to be held during the day and one in the evening) regarding the possibility of establishing a Community Service Board in Chatham County for the treatment of mental health, mental retardation and substance abuse.

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#### **5. GOOD DEEDS CERTIFICATES (COMMISSIONER KICKLIGHTER).**

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. The other day I was out at Scott Stell Park and just walking around and looking at everything, and I walked by and I noticed a trash can that was tipped over, trash all over the ground. Anyway, I looked at it, kept looking around at [inaudible] anything, and decided I needed to walk back over and pick this thing up and, you know, throw the trash in it, but when I walked back towards it I noticed a young lady standing there. She had already picked the trash can up and was walking around picking up all the trash and throwing it in, and it hit me that it would be nice for us to be able to somehow notice or give some kind of praise to people in Chatham County that does good deeds for Chatham County, no matter how small they are. It's just nice for people to know that we appreciate that. So what I'm asking y'all to do today is approve a Certificate of Good Deeds, and it would simply read: Certificate of Good Deeds presented to, and in this case it would be Tara Bell, but I didn't invite her today because I want you to approve the concept first, in recognition of exceptional citizenship for helping to make Chatham County, Georgia, a better community to live, work and play. And then it would be signed by the Chairman and whichever Commissioner recognized someone that they saw. In this case I was really happy to find out, I got the young lady's name, address, and this young lady actually lives in Guyton, Georgia. We had an Effingham County resident out there picking up trash in our parks, which I thought was great, and, you know, so I put in the form of a motion that we approve a Certificate of Good Deeds. Commissioner Rayno said, second.

Chairman Hair said, thank you, Commissioner Kicklighter. Does anybody have any objection to this. It's a good idea. Again, I thank you for the idea and I think it's a—. Commissioner Rayno asked, can we vote on it, Mr. Chairman? Chairman Hair said, yes. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved that Chatham County approve a Certificate of Good Deeds, which shall read: "Certificate of Good Deeds presented to \_\_\_\_\_ in recognition of exceptional citizenship for helping to make Chatham County, Georgia, a better community to live, work and play," and the certificate would be signed by the Chairman and the Commissioner requesting the certificate. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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**6. RECOGNITION OF STAFF'S PERFORMANCE IN BUILDING SAFETY AND REGULATORY SERVICES (COMMISSIONER MURRAY).**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I have been real critical at times about certain departments and certain things that go on within those departments, as most of us have when we see different things throughout our districts that need attention. But I also believe when we do something like that in public and when we get a phone call from someone commenting on the performance and the job well done of a certain department, then we also bring that to the public's attention, and I did get a phone call this week from Mr. Bill Foster, who is doing the Sheraton project, the Wilmington Island Club down on Wilmington Island, about the process, and I don't know the names of those people that were involved in it. All I know is people out of the Inspections Department that were there, that have worked with him and have tried to help him get through some things and work out some things that were not exactly right, and he was very complimentary of that and wanted to make sure that it was brought to the attention—. I did call the Manager and told him that, but I also felt like it was something that needed to be done publicly, but at the same time I think that we can sit here and be very critical about departments and what goes on, at the same time I think we also need to be praising those departments when something is done right and we get comments from the general public that it's being done right, so I'd just like to say thank you on behalf of Mr. Bill Foster for whatever took place and whoever was out of that department that was there and helped him through this process.

Chairman Hair said, thank you, Commissioner Murray. County Manager Abolt said, thank you, Commissioner Murray.

**ACTION OF THE BOARD:**

Commissioner Murray relayed expressions of thanks received from Mr. Bill Foster for the good performance and a job well done by some employees from Building Safety and Regulatory Services (Inspections Department) in helping him work through some problems he had in the work being done on the Sheraton/Wilmington Island Club.

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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. At meeting of September 21, 2001, no action was taken.

Chairman Hair said, this is not indicated by an asterisk, but we are ready to talk about it today. I'll entertain a motion to take it off the table. Commissioner Murray said, so moved. Commissioner Gellatly said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.] Chairman Hair said, the motion passes. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, you know, when this first came up there was a lot of discussion about it, and it's been a while since it came up originally. As a matter of fact, it was started in June of last year [sic] and we kept tabling it. I've had discussions with the developer. I've also had discussions with a lot of people and at present —, when it first came up I was adamantly opposed to the County putting any money whatsoever into this traffic signal. We all know the traffic signal on Johnny Mercer is needed. One's going to have to go in, and when the developer's plan was approved by the MPC to go with the project, that was part of the project that they would be responsible for putting that traffic light in, but after looking at the development up and down Johnny Mercer Boulevard, and quite frankly there is another apartment development going on right now just on the other side of where the one that's being required to put in the traffic signal's going, it just did not make sense that that one development company should have to foot the bill for the total traffic light when, in fact, they are not the only ones up and down there with development going on right now that have caused increase of traffic and things like that. I have talked with the Engineering Department and found there is some money available that was left from a project that was taken off of the SPLOST projects, and I would make a motion now that the County pay a fee not to exceed \$20,000 towards the support of that traffic signal when it goes in. Commissioner Kicklighter said, second.

Chairman Hair said, second. Any discussion?

Commissioner Rayno said, I'd like to say that I need a traffic signal over in Halcyon Bluff that nobody seems to have money for and people are getting in accidents there, and I'm told there's never any money for that traffic signal, and you're asking people from Joe's [Rivers] district and Mr. Odell's district to pay for a traffic light that the developer knew going into the situation that they were going to have to pay for it. And now we're coming after the fact and saying they don't have to pay for it. I don't think that's right and I'm going to vote against it.

Chairman Hair said, I would like to though —, I think Commissioner Murray has made a good proposal here. I do think that in all fairness this is a well thought out proposal and I think it is fair so I'll support it. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I'm not positive, Jeff [Rayno], but, you know, 10 years ago that area you're talking about was in the Fourth District and, yes, we fought then for traffic lights, but if I'm not mistaken, at the time that road is controlled by the State and the State has to put that light in. The County cannot do it, and it doesn't make sense and if I'm not —, I think you're probably talking about where you come up that incline onto Whitfield Avenue out of Halcyon Bluff, and I would agree with you, it does need to go in there, but it's a State thing and we have pushed the State over and over to try to do it. I'll be glad to keep lobbying if you want to do that to try to get it put in, and I can tell you, as y'all all know, I was adamantly opposed to paying a dime on this because I'm tired of citizens of the County having to put money in for traffic signals and infrastructure when it's not caused by the County, it's caused by a development coming in and taking place in these areas, but after talking with people and looking at this, I feel like we have to be fair about it also, and I don't see how we can tell one developer that's sitting here and one less than a half a mile down the road on the same road that the traffic going's to have to come to that intersection and turn around they don't have to pay any of it but this developer has to pay a hundred percent of it, and that's why I had a problem with it and that's why I'm making the motion as I have. Those that vote for it fine, and those that don't vote for it, fine. I'm not going to sit here and lobby.

Chairman Hair said, we have a motion and a second. All those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Murray, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

#### **ACTION OF THE BOARD:**

1. Commissioner Murray moved to untable this item and place it before the Commissioners for consideration. Commissioner Gellatly seconded the motion and it carried the motion carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]
2. Commissioner Murray moved that the County authorize the payment of up to \$20,000 for a traffic signal at Johnny Mercer Boulevard and Whitemarsh Island Road, with the funds to be taken from a project that was taken off the SPLOST list (Fund 3306504, Interchange US 80/Johnny Mercer). Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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- \* 3. **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.**  
**At meeting of September 21, 2001, item was tabled for County Attorney to conduct research.**

Chairman Hair said, I'll entertain a motion to take off the table the amend Section 11-3 on the County Zoning Ordinance. Take it off the table? Nobody wants to take it off the table? Staff recommended. Okay, we'll leave it on the table.

**ACTION OF THE BOARD:**

This item was not untabled for consideration by the Commissioners.

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- \* 4. **AWARD OF THE OPERATIONS CONTRACT FOR THE CHATHAM COUNTY AQUATIC CENTER. *At meeting of October 5, 2001, Commissioner Rivers requested reconsideration.* BOARD CONSIDERATION OF CHAMPION CORPORATION'S REPRICED PROPOSAL TO OPERATE THE CHATHAM COUNTY AQUATIC CENTER AND THE ALTERNATIVE THERETO. *Note: USA Pools has withdrawn from the selection process.***

Chairman Hair asked, motion to take it off the table? Commissioner Odell said, so moved. 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 Thomas was not present; District Three was without a representative.] Chairman Hair asked, Mr. Abolt, are you going to give us the negotiated price?

County Manager Abolt said, yes sir, I will gladly. This technically was a reconsideration so I don't know parliamentary whether -. Chairman Hair said, yes. County Manager Abolt said, how we handle it. Chairman Hair said, we've already -. County Manager Abolt said, that's how it is, sir. And, yes, we do have some of the -, all the information you did request. Mr. Lynch was the lead. There was some re-contact with Champion Pools. As you know, since your last meeting, the other competitor, USA Pools, has withdrawn. You have the evidence of that in your packet. Mr. Lynch can give you a verbal briefing on what is contained in your staff report. Essentially, there was some movement both in price downward and in hours upwards. County Manager Abolt recognized Mr. George Lynch. Chairman Hair said, Mr. Lynch, briefly.

Mr. George Lynch said, briefly, sir. In brief, the negotiations with the Champion Corporation resulted in their reducing their hourly rate for operation from \$110.50 an hour to \$69 an hour. Substantial reduction. Commissioner Rivers asked, what does that equate to, George [Lynch], in comparison to the other bid. Mr. Lynch said, the bid which applied to both was to provide the lifeguards, to operate the pool, to develop the programs, to do custodial work, and what we call operator maintenance. Not heavy maintenance. I'm sorry, I was reading the wrong figure and Kathy [White] in her usual wonderful way just pointed it out to me. I lied, and if you happened to see the people from Champion clutching their throat when I said they volunteered to do it for \$69, they didn't. It's \$86.72. Grievously have I erred, grievously do I repent.

Commissioner Rayno asked, have you ever sat down with the City and worked out a budget where they would come in and help out? Mr. Lynch said, we met with them first, sir, in February and March of last year. One of the things that we considered was whether or not it was feasible and would be more cost-effective to have it done by the City of Savannah than by Chatham County. The City, and we worked very carefully with Joe Shearouse, who is present in the meeting today. Several things became apparent. The City of Savannah did not want to propose and give a fixed rate fee proposal, and I certainly can understand that. Thus, we cannot give you a precise budget of how much the cost with them as opposed to Champion as opposed to bringing it in-house in Chatham County. We did, however, ask our personnel people to talk to the H.R. folks in the City of Savannah, take a look at the rates that are presently being paid by the Champion Corporation, lifeguards, lead lifeguards, and their operations manager, et cetera. The finding was that the rate paid for those skills would be higher if it were within the structure at the City than it is from the contractor. This, as I say, was not a full-up budget, but certainly in this contract the heaviest by far cost element is providing the labor to operate it. Commissioner Jackel asked, is it possible that if you did do a full budget there might be other areas where it could have been lower costs? Is that true? Mr. Lynch said, sir, really I don't think that would happen. Let me explain why. Bear in mind Chatham County, not the Champion Corporation, buys all the chemicals, does all of the heavy maintenance. When you

look at what is in Champion Corporation's responsibility, the figure is labor, then you come down to insurance and some fairly minor ones, so I don't really believe that there would be an appreciable change if it were full budgets that were run. Also to do a comparison, and this far in talking with Joe Shearouse, who's been wonderfully cooperative, there is not a desire on the part of the City to provide a fixed price, firm fee proposal. Commissioner Rayno asked, has there ever been a thought of turning over the operation of the City and letting them absorb that within their budget? Mr. Lynch said, sir, aside from the discussions with Joe Shearouse, I'm not aware of them. Commissioner Rayno asked, can I ask Mr. Shearouse a couple of questions?

Chairman Hair asked, is Joe [Shearouse] here? Commissioner Murray said, he's here. Mr. Lynch said, thank you very much, Joe [Shearouse]. I'll do the same for you. Mr. Joe Shearouse said, good morning.

Commissioner Rayno asked, in your opinion, if you were to make out a budget with George Lynch, is it possible that you could come within the ballpark of what Champion did as far as price? Mr. Shearouse said, in all honesty I really couldn't answer that. Back in February George [Lynch] and I sat there and we talked about this, and we looked at various factors and it just appeared that the best approach was for the County to proceed with the RFP process, and what we talked about if we were going to look at the City and the County trying to come together on this, we'd have to sit down and, you know, review past years of costs and try to develop a budget. And without looking at the numbers, which I haven't, I don't know what Champion pays for lifeguards, I don't know what their costs are, so it would just –, it'd be unfair for me to say yes we could be competitive with the price because I don't know that much about the numbers. Commissioner Rayno said, Mr. Chairman, in the interest of the County in terms of our budget and also the interest of creating some kind of a harmony because there was a great deal of contention about the awarding of this contract, wouldn't it be in our best interest to perhaps award Champion another 30 days and then take the time to allow the City to sit down with the County and work up some kind of budget and just bring it before the Board and propose it to see if we could save some money?

Chairman Hair said, the answer –, my answer to that is no. I do think that we've gone through a very extensive, time-consuming process. I think it's been a fair process, and I think we should proceed today and award the contract as we –, well, we actually awarded it at the last meeting. This was on a reconsideration from Commissioner Rivers, but I do think we should proceed today and award the contract to Champion, and I think these things that are being suggested to be looked at, I think they're appropriate, but the appropriate time to consider those would be when the contract's up for a new RFP, and then at that time Mr. Shearouse will have plenty of time to come back and sit down and do that. I do not think it would be appropriate to delay it today.

Commissioner Odell said, I make a motion to award the contract to Champion. Chairman Hair asked, do we have a second? Commissioner Gellatly said, second. Commissioner Kicklighter asked, may I ask one question please? Chairman Hair said, Commissioner Kicklighter and then Commissioner Murray.

Commissioner Kicklighter said, I was just wondering if I could what is the total that we budgeted, you know, for the Aquatic Center and what actual price did you negotiate, you know. Mr. Lynch said, all right, sir. Commissioner Kicklighter said, you gave me an hourly figure, but I'm curious because I remember they were \$25,000 over what we actually budgeted. Mr. Lynch said, yes. We are not only within budget, we're under budget –. Commissioner Kicklighter asked, by how much? Mr. Lynch said, as a result of this renegotiation. In fact, it was sufficient, sir, so we're not going to have to cut hours as we had feared from the present 87 to 72. So (a) we're within budget, (b) we don't have to cut hours, and just to give you comparison on that, and I'm now talking annual, I give you the budget remaining eight months in the staff report. If you want to look at it annually, 87 hours, not the 72, with their new pricing, annual \$388,680 per year. Now, please, I don't want to lead you astray. I've screwed up once on numbers and I want to make sure I don't do it again. The –. Chairman Hair said, that's what happens with short-timers. Mr. Lynch said, I'm sorry, sir, it's showing earlier than I wanted to. Chairman Hair said, we recognize that. Mr. Lynch said, thank you, sir. I appreciate it. Commissioner Kicklighter asked, if we reduce the hours what can we get it for? Mr. Lynch said, you would probably pay a little more. Commissioner Kicklighter asked, by reducing the hours? Mr. Lynch said, yes sir. Your overall cost would probably be more. Part of this is the fact that you would have to during the peak season, and that is from mid-May into August, through August, when we had tons of people who come in and use it, they are daycare services, intercity, it's profitable for us, we earn revenues so we all don't have to pay as much in the subsidy, we would be paying about a \$45 premium per hour if we went from 72 to 87. That's big bucks. Commissioner Kicklighter said, thank you, sir. That's good. Mr. Lynch said, so we come out actually better this way.

Chairman Hair said, Commissioner Murray and then Commissioner Rivers. Commissioner Murray asked, did you want to say something?

County Attorney Hart said, I just wanted to make sure from a parliamentary standpoint that we do reconsider, make a vote, and then make the vote because this was to call it back up again. Chairman Hair said, okay, we will. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, you know, I kind of look at what's going on with the pool as I do with the Board of Tax Assessors. We've got two groups, distinct groups of swim teams involved at the pool right now, and regardless of what we do those two teams, or I should say the adults, or the parents involved with those two teams, are still going to go back and forth. We aren't going to resolve the problem with the conflict between the two swim teams. My real concern right now is that it's not the parents out there. My concern are the youth and the young people that are using those –, that are on those swim teams, and they being hurt now and they being brought into it, and it's not right. Now the other side to this, you've got the same thing on the Board of Assessors. You've got people that sit on there that actually hate each other and

they're never going to resolve the problem by members' consensus either. So, you know, do we have a choice because we only have one bid out there now because one's been withdrawn? Yes, we have some choices, and based on that I would like to see the contract, the present contract extended long enough to put this thing back out for bids, not just as we did before, but put it back out nationwide and come back in. There's some people out there that would bid on this. Is it going to be the right bid? I don't know, but I don't think we're going to resolve the problem that we have right now as long as we stay on this present structure that we have, and that's not saying that what they're doing is bad or what the other group's doing is bad. It's not going to resolve our problem, and I think that has to be the number one issue we look at. I don't think we're doing that. If you look at the price, yes, they've come down and they've met that price now, but you've got one team that considers the other team getting everything they want, and certainly the parents of the members of a particular team are going to support that team. The parents of the other team will support a different group coming in, and I don't see us getting anywhere with that. It's been going on since the pool has been open and I think it's time that we do some other things other than just approving an annual contract right now and moving forward. We need to bring this thing up where we can take and have time to look at it a little bit closer and put some other things out there and see what's there other than just two groups coming in to bid it. You've got the YMCA, you've got the City of Savannah, you've got other organizations that would be interested in coming in if they had the time to put something together, and not necessarily a national group coming in and doing it. Mr. Lynch said, sir, may I —. Chairman Hair said, go ahead. Mr. Lynch asked, may I make just one comment on the availability of people? Commissioner Murray said, I've probably got everybody in the audience that's going to hate me, but that's okay too. Mr. Lynch said, that's all right, sir, they'll hate me first. Commissioner Murray said, I just think that's the way it has to be. Mr. Lynch said, at any rate, this relates only to availability of people who are interested in doing it. We have worked with the YMCA in February, we worked with them again this —, when we went out with this. They are not interested in doing it, and the reason is simply that their plate is very, very full. They are not, I don't think, going to change. Commissioner Murray said, I tend to disagree with you. I spoke with someone this week. Mr. Lynch said, okay. If they have, sir, they have changed, as I say, since the time we went out with the RFP. We'd love to have them, they're good people. The other point is that we have advertised with national coverage out of The Atlanta Constitution. That is read, believe me, nationwide by people interested in getting work in that area. We drew really not anything national. Additionally, we worked the Internet. First, in looking to companies that were in this line of business and with those trying to get them interested. I don't mean to sound defeatist, sir, I just do not believe, based on the reactions we got from the companies who said, hey, you're 800, 1,000 miles away, we aren't interested in stretching our boundaries. So I'm not at all optimistic that we would get that much of a good response.

Chairman Hair said, I'm going to make a comment and then I'm going to recognize Commissioner Rivers, Mr. Earls and Commissioner Gellatly in that order. You know, what this seems to me is, you know, we went through a very extensive process, the staff did a great job, we followed all the rules, and now because somebody has lost we want to change the rules, and I don't think that's fair. I think Champion played by the rules, they —, in my opinion, they went far beyond they should. They were willing to negotiate, and I think now to go back and want to rebid this thing, I mean, are we going to do this every time a company loses or somebody loses and they want to go back and change the rules. I mean, I think that —, let's follow the rules. We have staff here, Mr. Lynch has told us in no uncertain terms that he did an extensive search, everybody's out there and had a chance to bid on this thing, and I think it would be wrong today for us not to award this contract because we have a group out there that's not happy because they didn't win. You know, we're not going to win all the time and sometimes we've got to do what we know is right and somebody's going to be unhappy with that. Commissioner Murray said that earlier, we're not going to make everybody happy, so I think we ought to do the right thing and go ahead and approve the contract. Commissioner Rivers and then Mr. Earls and then Commissioner Gellatly.

Commissioner Rivers said, Mr. Lynch, one of my big reasons for reconsidering looking at this thing is that contract, that RFP came in \$155,000 over and beyond what the lowest response was and we caused a man to back out. Now anytime you're in a county and we have to lay off people and then we're going to take and —, \$155,000 is an exorbitant amount to cover the pool. I think it's ludicrous. I don't think that we should be spending money over and beyond that we could save when we're laying people off. Now if we had it in the budget and the budget came in right, fine. But I can't see that. Tell me the differential that we have come down from that \$155,000. What is the differential now? Mr. Lynch said, the differential, sir, is from \$110.50 to \$86.72 an hour. Commissioner Rivers said, George, George [Lynch]. Mr. Lynch said, yes sir. Commissioner Rivers said, they were \$155,000 over and beyond. Where are they now in reference to that \$155,000? Mr. Lynch said, if indeed USA Pools had not withdrawn, and they have withdrawn voluntarily, despite my best efforts to keep them in the bidding, quite frankly because it would have made negotiations easier if nothing else, despite that they withdrew. So, condition contrary to reality they aren't in —. Commissioner Rivers asked, George [Lynch], what is the differential between that? Irregardless of whether they are in or not, what is the total price that we will pay Champion today? Mr. Lynch said, 78 —, hang on just a second. Approximately \$76,000 a year more to Champion than if we awarded to USA Pools, but that option to award to them, sir, is no longer there. Commissioner Rivers said, we're not —, I'm not worried —. You know, George [Lynch], and I will apologize to this body because I called one of my associations, National Association of Sporting Goods, to get some research done on people who does [sic] this type of management and who are near us. I didn't get that information back as of today, so I'm a little reluctant about passing this thing until I'm full aware because if we can stay within or close to what we had it out there for, the guy said to me out in the passageway that he made \$60,000 —, he would make \$60,000 on that. Was I correct? Mr. Lynch said, that's correct. Commissioner Rivers said, with the bid that he put in so I want to know why do I have to pay Champion so much more money when that man was offering the same service. There must be some way out there that we can get this thing lower than this. Yes, we did it because under that situation that I was sitting out there and I had put in a request for proposal and it went the way it did, I would have walked out on this thing too. You know, the man put forth an earnest effort. Now we didn't give him a chance at all and, you know, here's a company that we had some problems with from a fiscal standpoint. So, you know, we negated all of that to come back and say, hey, this company here is acceptable even though the dollars were over and beyond. You know, I'm concerned about the kids, I'm concerned about the swim team, you know. I coached for a number

of years so my affinity has always been towards youth, but we've got to do what is best for this County and keep these prices within line, especially under the circumstances that we have when we're laying off people. I mean, it's just --, it's just asinine to think that we would go over and beyond just to keep a company here when we don't know what the outcome of other companies would be or that company. So I'm dissatisfied with it and the thing that I would go along with and what Frank [Murray] is saying that we put it out there on a six-months basis and let's extend that contract and let's look around and feel around and rework as much as possible to eliminate some of that excess \$76,000.

Chairman Hair recognized Mr. Earls. Mr. Ken Earls said, Commissioner Rivers asked my question. Chairman Hair said, okay. Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, just a couple of comments. When the gentleman last time withdrew his bid, I had an opportunity to talk to him and there were several areas in that contract that he didn't fully understand and one of them actually indicated is that he thought if he got the contract that he would be buying the chemicals and, therefore, he would be making money off the chemicals. He didn't fully understand that the County already paid for the chemicals and there were some other areas that he had some concerns with too, and I had an opportunity to talk to him a little bit about that. I think the --, there's a bigger question between --, other than two swimming teams that don't get along with each other. I think that they're going to have to because obviously we just have one pool and they're going to have to get along with each other. Joe Shearouse, in due respect to what he had to say, I've had an opportunity, Joe [Shearouse], to talk to some people that are higher than your pay grade in your organization, some elected officials and other people, and believe me there isn't a lot of serious interest in the City of Savannah in taking over our swimming pool. They look at, some of them as it would be a losing proposition, it's a losing proposition for us and why would they want to take it over, so I can tell you that there's not a whole heck of a lot of interest in that. I personally, as I stated at the last meeting, I've had the opportunity the last two years to use that pool. I'm not personally acquainted with the manager. I know who he is because of the controversy now, but my own personal observation is that that pool appears to me to be well managed, it's clean. There's several lifeguards on duty at any time there's a large groups of people. The areas of concern that I see with the pool are our problem. I see paint peeling off the walls, I see some problems with the building to begin with that were probably contract problems. Those are things at some point in time we're going to have to address. I personally don't think that it's fair, whether it's Champion or any other company, to just keep them on the string. As the Chairman pointed out, they played by the rules, they submitted a bid. The reasons there was that huge difference, a large part of that could be explained by the chemicals. They thought they were going to make money off the chemicals, and that's just not going to occur. Therefore, I recommend that we consider giving them that contract for the full year and at the end of that point in time I totally agree with my other Commissioners' concern that we should look long and hard and make sure that we have the most competitive bid out there that's going to best serve all the citizens in Chatham County, and if that's Champion, that's good, and if it's not Champion, so be it, but I think that we ought to go ahead and award that contract.

Chairman Hair said, yes. We have a motion and a second on the floor to do that. Ms. Callis has a question and then Commissioner Kicklighter.

Youth Commissioner Callis said, I have a statement. Chairman Hair said, statement, okay. Youth Commissioner Callis said, I just wanted to thank [inaudible] for voicing their concerns for the youth.

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

Commissioner Kicklighter said, I'd just like to say that I will support this today. We really are out of options at this phase on what we have to do. I mean, there's no options right now, but I would like to say --, I would like to state for the future that I'd like to look at possibly some of the things that Commissioner Rayno said, possibly even donating this pool to the YMCA, the City of Savannah or somebody where --, because just the fact we have budget problems and, you know, we're in the pool business where we could be concentrating, you know, we could use that money to keep people in jail, to help the Police Department, to help the drainage. There's other essential items and we need to --, we need to look at ways to in the future either get out the pool business or at least to reduce the cost, but because we are basically out of options, we have no options, we need to pass this thing today because that's the only thing we can do is pass this today.

Chairman Hair said, thank you, Commissioner Kicklighter. Commissioner Murray for a brief comment and then we're ready to vote.

Commissioner Murray said, yes, I'd just like to say that I agree with the comments that the Chairman has made; however, the only reason that this has come back up is there was a motion to reconsider at the last meeting to bring it back up. In that time there has been some changes and some other things. I still feel as I did when I made my first comments, and whichever way this goes I think we need to support it and move forward. If the present group that has the contract is awarded that contract today, I am going to --, I will go so far as to say beg the two groups or every group that uses that pool and facility to try to bring out the differences, to try to work together and let's make these youth the priority and not our personal conflicts back and forth.

Chairman Hair said, briefly I'll recognize the gentleman on the first row for a brief comment and then we're ready to vote. We have a motion and a second on the floor.

Mr. Byrd said, yes, I'm Jim Byrd. I'm the current volunteer president of the Savannah Swim Team and, as Commissioner Murray told this to Dr. Hair, the Savannah Swim Team parents have made overtures, have made an offer to the GCAT parents for mediation, professional mediators. We've not heard back from them yet, but we have made that offer in good

faith. Savannah Swim Team's charter is to promote swimming, and we don't want to do it in this present --, we can't do it in this present atmosphere, so we did make that offer. Commissioner Murray said, I did get your memos and everything. I didn't respond back to anybody because of the circumstances of what we'd be doing today, but I did get them and I appreciate you sending them.

Chairman Hairsaid, we have a motion and a second to approve the contract. All those--. Commissioner Rayno said, wait. Don't we need to do the reconsider issue first? Chairman Hair said, no, because we've already taken it off the table. I checked with the attorney on that. County Attorney Hart said, we took it off the table. I didn't realize you'd done that. Chairman Hair said, that was it. Commissioner Rivers said, yes, well, it wasn't tabled, it was a reconsideration and unless we have the votes there, then the reconsideration isn't --.

County Manager Abolt said, we need clarification on the length of the contract. Chairman Hair said, it's one-year option isn't it? County Attorney Hart said, yes. Mr. Lynch said, yes sir. Chairman Hair said, it's rollover [inaudible]. Mr. Lynch said, yes sir, it's one year with option to renew. Chairman Hair said, right. Commissioner Murray asked, can we --. Chairman Hair said, we can get out at the end of year. Commissioner Murray said, all right. What I'm saying though is if the circumstances do not change in this one year, I would request it comes back before this Commission before it's renewed. Chairman Hair said, it would have to anyway. Mr. Lynch said, oh, yes sir. Chairman Hair said, it would come back to us, you know, as a regular item. It's just like all our other contracts. All those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioners Rayno, Rivers and Murray voted in opposition. The motion carried by a vote of four to three. [NOTE: Commissioner Thomas was not present; District Three was without a representative.] Chairman Hair said, the motion passes.

#### **ACTION OF THE BOARD:**

1. Commissioner Odell moved to place this item before the Commissioners for consideration. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]
2. Commissioner Odell moved to award the operations contract for the Chatham County Aquatic Center to Champion Corporation for one year with the County retaining the option to renew the contract for two additional one-year terms, for 87 hours per week of operation at a cost of \$86.72 per hour for the first year of the contract. Commissioner Gellatly seconded the motion. Chairman Hair and Commissioners Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioners Rayno, Rivers and Murray voted in opposition. The motion carried by a vote of four to three. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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**NOTE: At the meeting of October 5, 2001, items 5 and 6 were continued to the meeting of December 7, 2001.**

5. **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.**

**- OR -**

6. **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:**

Items 5 and 6 will be placed before the Commissioners for consideration at the meeting on December 7, 2001.

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## **IX. ITEMS FOR INDIVIDUAL ACTION**

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

1. **REQUEST BOARD APPROVE THE FOLLOWING: A MULTIPLE GRANT FUND BUDGET AMENDMENT TO RECOGNIZE REVENUES OF \$38,410 IN VOCA FUNDS FROM THE CRIMINAL JUSTICE COORDINATING COUNCIL AND \$37,500 FROM THE CHILDREN AND YOUTH COORDINATING COUNCIL, AND APPROPRIATIONS OF \$38,410 FOR THE VICTIMS OF CRIME ACT GRANT AND \$37,500 FOR THE JUVENILE OUTREACH PROGRAM; AND A CONFISCATED FUNDS CONTINGENCY TRANSFER OF \$10,000 TO THE COUNTER NARCOTICS TEAM FOR VEHICLE REPAIRS.**

Chairman Hair said, I'll entertain a motion to approve. Commissioner Murray said, so moved. 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 Thomas was not present; District Three was without a representative.] Chairman Hair said, the motion passes.

### **ACTION OF THE BOARD:**

Commissioner Murray moved to approve the following: a Multiple Grant Fund budget amendment to recognize revenues of \$38,410 in VOCA funds from the Criminal Justice Coordinating Council and \$37,500 from the Children and Youth Coordinating Council, and appropriations of \$38,410 for the Victims of Crime Act grant and \$37,500 for the Juvenile Outreach Program; and a Confiscated Funds contingency transfer of \$10,000 to the Counter Narcotics Team for vehicle repairs. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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## **X. ACTION CALENDAR**

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

Chairman Hair said, that takes us to the Action Calendar. Does anybody want to pull anything off the Action Calendar. Commissioner Rayno said, E. Chairman Hair said, which one? Commissioner Rayno said, E. Chairman Hair said, E, okay. Commissioner Murray said, 7. Chairman Hair said, 7. Commissioner Murray said, and 8. Chairman Hair asked, anybody else? I'll entertain a motion to approve the balance of the Action Calendar. Commissioner Murray said, so moved. Chairman Hair asked, second? Chairman Hair said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.] Chairman Hair said, the motion passes.

### **ACTION OF THE BOARD:**

Commissioner Murray moved that the Action Calendar be approved in its entirety with the exception of Items 7, 8 and 9-E. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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

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1. **APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON OCTOBER 5, 2001, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve the minutes of the regular meeting on October 5, 2001, as mailed. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD SEPTEMBER 27, 2001, THROUGH OCTOBER 10, 2001.**

**ACTION OF THE BOARD:**

Commissioner Murray moved that the Finance Director is authorized to pay claims for the period September 27, 2001, through October 10, 2001, in the amount of \$3,312,101. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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**3. REQUEST BOARD ACCEPT A RENEWAL OF THE CRIMINAL JUSTICE COORDINATING COUNCIL FOR A "VICTIMS OF CRIME ACT" GRANT AND TO ACCEPT A RENEWAL OF THE CHILDREN AND YOUTH COORDINATING COUNCIL'S JUVENILE OUTREACH PROJECT.**

**ACTION OF THE BOARD:**

Commissioner Murray moved to accept a renewal of the Criminal Justice Coordinating Council for a "Victims of Crime Act" grant and to accept a renewal of the Children and Youth Coordinating Council's Juvenile Outreach Project. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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**4. REQUEST FROM HUSSEY, GAY, BELL & DEYOUNG, ENGINEER FOR THE DEVELOPER, TO RECORD THE SUBDIVISION PLAT FOR LEGACY SQUARE PHASE 1A AND TO CREATE A NEW STREETLIGHTING ASSESSMENT DISTRICT. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve a request from Hussey, Gay, Bell & DeYoung, engineer for the developer, to record the subdivision plat for Legacy Square Phase 1A and to create a new streetlighting assessment district. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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**5. REQUEST FROM THE ENGINEER FOR THE DEVELOPER, ALBERT LUFBURROW, TO RELEASE THE REMAINING BOND FOR SOUTH HARBOR PHASE 2B AND 1F. [DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Murray d to approve a request from the engineer for the developer, Albert Lufburrow, to release the remaining bond for South Harbor Phase 2B and 1F. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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**6. REQUEST BOARD APPROVAL TO EXECUTE AN AGREEMENT WITH THE GEORGIA DEPARTMENT OF NATURAL RESOURCES FOR A COASTAL INCENTIVE GRANT AWARD.**

**ACTION OF THE BOARD:**

Commissioner Murray moved to authorize the execution of an agreement with the Georgia Department of Natural Resources (DNR) for a Coastal Incentive Grant Award. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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**7. REQUEST BOARD APPROVAL TO EXTEND HEALTH BENEFITS AT CURRENT FAMILY RATE TO EMPLOYEES WHO HAVE BEEN CALLED TO ACTIVE DUTY AS A RESULT OF THE SEPTEMBER 11<sup>TH</sup> TERRORIST ATTACK.**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, the only thing I wanted to say is as of October 15<sup>th</sup> we have had 12 members, 12 of our employees called to active duty. That might have increased by now. If it has not, chances are that it probably will if this thing continues to escalate, and I just wanted to say that I appreciate Human Resources, the County Attorney and County Manager's office working with us to try to work something out to help support these people.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Murray said, so moved. 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 Thomas was not present; District Three was without a representative.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Murray moved to extend health benefits at the current family rate to employees who have been called to active duty as a result of the September 11<sup>th</sup> terrorist attack. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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**8. REQUEST BOARD DECLARE AS SURPLUS PROPERTY AT 2115 BULL STREET, SET A MINIMUM BID VALUE AND ENGAGE THE SERVICES OF A COMMERCIAL REALTOR TO MARKET THE PROPERTY FOR SALE.**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yes, I don't have a problem with selling the property. My question was as to the writeup on it that says: Funding: Proceeds from the sale will be received into the Land Bank/Surplus Property Account in accordance with the 2001-2002 FY Budget that the Board adopted. The Board also adopted before that that 50% of any non-recurring revenues would go into Contingency. Chairman Hair said, Contingency and 50%, yes, for operations.

County Manager Abolt said, part of our strategy to balance was to assume this sale. That's what we did do. Commissioner Murray asked, in other words, that policy we have of 50% of any of our non-recurring revenues does not go into that account? County Manager Abolt said, no sir, it came in the context of a very difficult budget time.

Chairman Hair said, Russ [Abolt], the only piece of property that was part of the budget consideration was the Hodgson Memorial property. That was the only piece of property, not all property. County Manager Abolt said, no sir. When we had to shift revenues around to meet the needs of different departments, we recognized revenues would be received from the Land Bank Authority based on plans to dispose of this property. That was in –, that was in your budget material. In fact, you were –. Chairman Hair said, well, also in our budget material was the policy this Board passed, I believe unanimously, that all real estate, all non-recurring –, not just real estate, all non-recurring revenue, 50% would go to Contingency and 50% would go for operations. Okay? We need to look at that. Go back and check the minutes, but I think you will find that's the minutes. County Manager Abolt said, well, on new revenue, yes sir.

Commissioner Rivers said, if that's the case, then 50% –, what he's saying is 50% is going into one –, 50% is eligible to go into one part of his operation, but 50% has to come –.

County Manager Abolt said, we were forthright in our strategy to balance, and when we were able to come back to you with a plan, realize this is only one small facet of a very complex plan to balance the budget, we assumed the sale of this property to, in effect, balance, you know, some of the line items within different budgets.

Chairman Hair said, I think –, we'll go back and check the minutes, Sybil [Tillman], but I believe you're going to find that what we voted on was to balance only with the Hodgson Memorial property, but not all real estate.

Commissioner Rivers said, but, Mr. Chairman, if 50% is going into operations, he can divert there anyway. Chairman Hair said, 50% of it, but not the other 50%. We're talking the other 50% needs to go to Contingency. Okay?

Commissioner Murray said, that was my only question on this and that's why I brought it up. Chairman Hair said, you are correct. You are correct. Okay, I'll entertain a motion to approve. Commissioner Murray said, so moved with clarification on that. Chairman Hair said, motion with clarification. Second? Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Murray moved to approve a request to declare as surplus property 2115 Bull Street, set a minimum bid value and engage the services of a commercial realtor to market the property for sale, based upon clarification of a Board policy that 50% of all non-reoccurring revenues be placed into Contingency. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Contract for the demolition of building/ structures and objects from 12 County obtained parcels of land for right of way	SPLOST	Elite Trucking and Construction	\$65,200	SPLOST (1985-1993) - Truman Parkway, Phase IV
B. 30 computers	ICS	Dell Marketing	\$33,000	CIP - NetPlan 2000
C. Professional service contract to serve as required, to provide instruction to and supervision of youth under the jurisdiction of Juvenile Court in a community service work program which operates on Saturdays	Juvenile Court	•Crystal Houston •Scott Brown •Phillip Thompson •Daniel Walker	Varies by experience	Supervision Fees collected by Juvenile Court
D. Confirmation of emergency purchase of a 10,000gl replacement water tank for the Wymberly Subdivision in Isle of Hope	Water and Sewer	Ross Engineering	\$14,390	Water and Sewer
E. Change Order No.1 to the contract for consultant and coordination services for the Coastal Georgia Greenway Multi-Use Trail for additional coordination services	SPLOST	Hinesley Hickson Association (WBE)	\$100,000	SPLOST (1998-2003) - Coastal Georgia Greenway
F. Confirmation of Amendment No. 2 to the contract to provide probation services for authorization to extend turn around time from collection to disbursement of restitution funds	Superior Court	Pride Integrated Services, Inc.	N/A	N/A
G. Annual contract with automatic renewal for two additional one-year terms to provide insurance agent/ broker services	Finance	Hilb, Rogal & Hamilton	\$17,000	Insurance and Surety Bond Premium Account

**As to Items 9-A through 9-G, except 9-E:**

Commissioner Murray moved to approve Items 9-A through 9-G, except Item 9-E. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

**As to Item 9-E:**

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, we initially awarded them in April 2001 \$300,000 for this. Now they come back and ask for an additional \$100,000. That's a third of what they initially got. Mr. Lynch said, sir, that is –, let me explain that to you. The plan had been to have this particular function performed by trust funds –, not trust for public land, but a similar one. They had an outstanding consultant who specialized in this. The executive director left that organization, the consultant is no longer with them. The change order is to Hinesley Hickson, which permits them to bring forward the intended consultant, and she will be working for them. Yes sir?

Commissioner Murray said, I'd like to know how much more money is left in the 1998-2003 SPLOST that can be used for projects like this? I thought we were going over on a number of these projects and the surplus that we had, the interest that came in, was gone.

Chairman Hair asked, Mr. Abolt, can you provide this –, probably not today, but –. Mr. Abolt said, yes, because we had [inaudible] \$9 million that left during analysis, reconciliation. Chairman Hair said, we'll get that to you, Commissioner Murray.

Commissioner Rayno said, my other problem with this is how come you didn't include what you told us today in the background information? Mr. Lynch said, sir, I can only say that I failed, I should have done so. Commissioner Rayno said, well –. Mr. Lynch said, I'm sorry I did not. Commissioner Rayno said, it kind of puts a skewed thing on it. Mr. Lynch asked, sir? Commissioner Rayno said, when you leave out important information like that, it makes a difference.

Chairman Hair said, I'll entertain a motion to approve. No motion? Commissioner Odell said, I'll make a motion. Chairman Hair asked, have I got a second? Commissioner Kicklighter said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Murray, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioner Thomas was not present; District Three was without a representative.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

1. Commissioner Murray moved to approve Items 9-A through 9-G, except Item 9-E. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]
2. Commissioner Odell moved to approve Item 9-E. Commissioner Kicklighter seconded the motion. Chairman Hair and Commissioners Rivers, Murray, Odell, Gellatly and Kicklighter voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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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. **THE METROPOLITAN PLANNING COMMISSION IS RECOMMENDING THAT THE CHATHAM COUNTY ZONING ORDINANCE BE AMENDED AS FOLLOW: SECTION 6-2.2, SIZE OF DRIVEWAYS, BE AMENDED TO INCREASE THE WIDTH OF A DRIVE WITH 90 DEGREE PARKING BY ONE FOOT AND REDUCE THE WIDTH OF A DRIVE WITH 60 DEGREE PARKING BY TWO FEET; SECTION 6-3, OFF STREET PARKING REQUIREMENTS, USE (13), SHOPPING CENTERS, BE AMENDED TO INCREASE THE NUMBER OF PARKING SPACES FOR CENTERS LESS THAN 200,000 SQUARE FEET TO 5 SPACES PER 1,000 SQUARE FEET OF LEASEABLE AREA AND REDUCE THE**

**NUMBER OF SPACES FOR LARGER CENTERS ON A SLIDING SCALE DOWN TO 4.25 SPACES FOR CENTERS OVER 600,000 SQUARE FEET OF LEASEABLE AREA; AND SECTION 6-3.1, SIZE AND MARKING OF PARKING SPACES, BE AMENDED TO REDUCE THE DEPTH OF PARKING STALLS FROM 20 FEET TO 18 FEET FOR 90 DEGREE PARKING AND FROM 18 FEET TO 16 FEET FOR 60 DEGREE PARKING.**

**MPC FILE NO. Z-010705-39758-1**

**[NO DISTRICT - TEXT AMENDMENT - UNINCORPORATED AREA .]**

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

Commissioner Rayno asked, is it my understanding this is the same thing the City passed? Chairman Hair said, yes. Yes, it's identical.

**ACTION OF THE BOARD:**

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

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- 2. AMENDMENTS TO CHAPTER 1 OF THE CHATHAM COUNTY CODE ENTITLED "ORGANIZATION AND POWERS OF CHATHAM COUNTY GOVERNMENT" TO INCORPORATE THE AMENDMENTS TO THE ENABLING ACT MADE BY THE LEGISLATURE SINCE 1989.**

**ACTION OF THE BOARD:**

Chairman Hair read into the record as first reading.

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- 3. AMENDMENTS TO CHAPTER 7 OF THE CHATHAM COUNTY CODE ENTITLED "TAXATION AND REVENUES" TO INCORPORATE THE CURRENT LAW.**

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

Commissioner Rayno said, I also have some questions about number three. Chairman Hair said, housekeeping changes. Do you want to ask them today or when we vote on them? Commissioner Rayno said, no, I want to ask them today. Commissioner Rayno said, okay. Who's idea was it to change the concept of Gary Udinsky from being a Tax Appraiser to a Tax Receiver and abolishing that position? County Attorney Hart said, I don't know that it was anybody's concept. They had a bunch of changes in the State law and we rewrote the amendments to comply with the requirement we had to have our Code in by 2001. Commissioner Rayno said, it seems really strange to me that the Board of Assessors didn't have any idea about this at all. County Attorney Hart said, it was not anything that was --, we received guidelines from the State that by 2001 we had to have our Code codified, and when we went through the process of going through the Code it hadn't been updated in probably 10 or 15 years, so we took a bunch of miscellaneous provisions at various points in the Code that we felt were housekeeping matters. For example, there were language changes in the Chairman, we had to put the new districts in because they had been passed but never put in the Code, which come January of this year we'll have to amend again, but in order to be in compliance with the Code by January of next year, we had to do it so we just lumped them all together and put them in there. Commissioner Rayno said, speaking of the --, I'm not done yet. Speaking of the Code, how come that wasn't provided to us in terms of background information if you want us to make changes on this. We don't know what specific Code you're talking about. County Attorney Hart said, it never occurred to me. I'm sorry. Commissioner Rayno said, well, we have to vote on that.

Chairman Hair said, two weeks from now we'll --. Well, tell him what you need and --. County Attorney Hart said, if there's any information you need, I'll be glad to provide it.

Commissioner Rayno said, we need to have the original Code where you feel the problems are and compare that to what the changes will be. Chairman Hair said, okay, he'll get that to you. Commissioner Rayno asked, who originally made Gary [Udinsky] the Tax Receiver? County Attorney Hart said, the Tax Receiver in most states --, excuse me, in most counties his position is designated as the Tax Receiver. Okay? Because Chatham County is one of the oldest counties around and because that was created under a special constitutional amendment, his title has not necessarily reflected what every other service has been in the other counties. As a matter of fact, there's a special constitutional provision that provides that the Chief Appraiser perform that function. You will recall last year when we wrote the Stephens-Day Bill and submitted it to the State, we put some of the language in there dealing with that express provision, and when it went up to the State, the Office of Legislative Council changed all that around thinking that Chatham County had the same type of titling that everybody else did in the State, and it ended up, we ended up having the functions in the wrong place and we ended up

having to go back and amend that this year so that we got the titling of that correct. We're just different than the other states [sic] in regard to the titling of that belonging in the State Code. I mean, the functions are really not any --, he just --, he acts as that function. Commissioner Rayno said, once he becomes a Tax Receiver and you abolish the Tax Appraiser position, doesn't that give him almost constitutional status? County Attorney Hart said, I don't think so. Commissioner Rayno asked, would he have the ability to sue the County for his budget? County Attorney Hart said, no. Commissioner Rayno asked, would he not no longer be under the Board of Assessors direction? Commissioner Rayno said, not to my knowledge he wouldn't. Commissioner Rayno asked, so he'd still be under the Board of Assessors? County Attorney Hart said, sure. That's just a title function. I mean, I --. Chairman Hair said, I don't think we could change that if we wanted to. County Attorney Hart said, I'll be glad to give you a memo on all that if that's what you would like. I'd be glad to do that.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, my question is the title Tax Receiver. To me that says he's receiving the funds from Chatham County as the receiver. That is the Tax Commissioner's job. County Attorney Hart said, well, there's a distinction --. Commissioner Murray said, and that's where I have a problem with the wording of it. I don't --, if it's State law and we don't have any choice, that's one thing. County Attorney Hart said, there's a distinction --. Commissioner Murray said, but I just have a real question about --. County Attorney Hart said, okay, and I'll be glad between this reading and next reading to come back to you. Chairman Hair said, make sure that you address that issue and Commissioner Rayno's and also Commissioner Murray's. Commissioner Murray said, see, mine is saying if he's a Tax Receiver, to me that's saying he's the one that receives the tax money back in from Chatham County not the Tax Commissioner.

Chairman Hair said, let's just do make sure, Commissioner Rayno, that Mr. Hart has all your questions so when we come back two weeks from now, you know, we don't have five other questions that --. Commissioner Murray said, I don't have any other questions. That's my question. Chairman Hair said, yes. Commissioner Murray said, to me it doesn't make sense to word it that way. Chairman Hair said, he'll research it.

Commissioner Rayno asked, are you going to have a meeting with the Board of Assessors to discuss these changes? County Attorney Hart said, I hadn't planned on it, but if you want me to, I'll be glad to. Commissioner Rayno said, I think it would be a good idea.

Commissioner Murray said, while we're on this subject, since it involves that, and maybe it's out of place, if it is let me know, but I would request that we have the five members of the Board of Assessors and Gary Udinsky present at our next meeting, and I'd like to put an item under the Commissioners Items to discuss.

Chairman Hair said, why don't we do this? Commissioner Rayno, if it's okay with you, why don't we have Mr. Hart contact Mr. Hogan and ask if --, and proceed along that line, you know --. County Attorney Hart asked, would y'all like me to share my memo with the Assessors, Board of Assessors? Chairman Hair said, I think that would be good. I think sharing correspondence with all of the Assessors --. Commissioner Murray said, I think we just have some questions and need to get them answered. Chairman Hair said, absolutely.

#### **ACTION OF THE BOARD:**

Chairman Hair read into the record as first reading. County Attorney Hart was instructed to respond to questions submitted by Commissioners Rayno and Murray and also requested to ask all members of the Board of Assessors and Gary Udinsky to be present at the next Commission meeting.

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## **XII. SECOND READINGS**

1. **AN AMENDMENT TO SECTION 4-12C(5) OF THE CHATHAM COUNTY ZONING ORDINANCE, ISLANDS ENVIRONMENTAL OVERLAY DISTRICT, TO REDUCE THE MINIMUM BUILDING SETBACK REQUIREMENT FROM THE MARSH LINE FOR PLATTED OR RECORDED LOTS NOT OCCUPIED BY A RESIDENTIAL STRUCTURE. THE MPC RECOMMENDED APPROVAL.  
MPC FILE NO. Z-010828-59853-1  
[NO DISTRICT - TEXT AMENDMENT - UNINCORPORATED AREA .]**

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

Commissioner Murray said, you know, I've got some problems with this and I'd like to see it sent back to the MPC, and I'd like to request that when it goes back to the MPC, I'd like to know how many properties in Chatham County that this is really going to affect. County Attorney Hart asked, this being the 25 foot or this being the 35/50? Commissioner Murray said, and we already have something in place that somebody needs to come there based on the land use plan that we just adopted not too long ago that if somebody has a problem with that, there's a process they can go through and get an amendment to go ahead and do what they need to on it. I don't think we should have a 25 foot across the board out there just for any piece of property, and I think, you know, you've been involved in that. County Attorney Hart said, yes, if you go to the 25 foot standard, it increases the number of lots that it affects pretty substantially, doesn't it? Mr. Tom Wilson said, it does, yes. Commissioner Murray said, I'm talking about staying with the 35/50 that was in the land use plan that was adopted and I don't know why we can't do the same thing with that that we did with the grandfather part of that land use plan and adopt that same countywide. I mean, it is not affecting that many properties, and I don't know of any property that somebody will not be allowed to build on and I don't think anybody can show me one.

Chairman Hair said, well, my only concern about this —, was addressed, my only concern was that we not punish people that already had property. You know, the grandfather part of it was my only concern and that's been —. Commissioner Murray said, we've got that in there. Chairman Hair said, yes, that's been addressed. I mean, I think that —, I think it's unfair to go back and change the rules after the fact. I think that's what was in there originally and that was my —, so that's been taken out.

Commissioner Murray said, my other question, who requested this be brought up? I mean, who's addressed it? We didn't —, the Commission did not ask the MPC to address this? Mr. Tom Wilson said, well, there —, I think we explained in our presentation when this came before you for approval that there was a level two process and that during that process that was a —, there was a process that would address some of the issues of the impact of the new standards on property owners. This was something the MPC wanted us to do, the board, and this was something that was discussed, I believe, in this forum. We did go back and we looked at that situation and found that some lots, particularly lots about 120 feet deep or less averaged out, that those would be affected by this. In other words, that the rear setback, the new setback off the marsh, plus the front setback would leave very little room to develop a house on that property. So what we did was to address that with a recommendation to the MPC. The MPC considered the staff recommendation, considered other input and developed the recommendation that's before you today. Commissioner Murray said, well, I just feel like that there's a mechanism in place to address this already. It was in place when we finalized the land use plan, and it should stay that way. We've just put a land use plan in place and now we're coming back to start making changes less than six months out, and that's not why this plan was developed. It was developed for a purpose and I think we need to stick with that. It's not just the Fourth District it's affecting, it's affecting a lot of areas and it will in the future, and to me if we want to make any changes, we need to do it to the overall County unincorporated plan where we adopt this countywide, not that we go back and change the other. There's a mechanism in place to deal with it and I think that needs to be dealt with.

Mr. Wilson said, if I may say something about that. There was an equal protection question; however, we've addressed that by adopting an overlay district which establishes the new —, new district and makes it valid to apply this to the Islands area.

Chairman Hair said, we have a couple of people in the audience that want to speak, and briefly. We already —, we have a motion and a second. We should [inaudible]. Chairman Hair recognized Mr. Rob Brannen.

Mr. Brannen said, my name is Rob Brannen, and I've been contacted by a number of owners that this affects directly, and I've sent letters to the Planning Commission and to the County Attorney expressing their concerns because there really is not a mechanism to address this, and I'm going to pass a plat up, and I'd prefer not to talk about the names of the individual subdivisions, but —, can you hand that up.

Commissioner Murray asked, can I ask you a question? You said you've been contacted by a number of property owners. Mr. Brannen said, yes. Commissioner Murray are these individual, single family, residential property owners or are these developers that own property they want to develop? Mr. Brannen said, in my case the two that I'm talking about today, one is the owner of an individual lot in Long Point, the other is the owner but not the developer of all of these lots. In this subdivision alone, my count with the 50-foot setback is there are 18 lots that would not be buildable under the current ordinance, and I think that's why it's so important that we do something right away. It's a bad ordinance because there's no way to address this. Billy [Hair], you signed this plat in 1999. Variances were granted, but there's nothing in the ordinance that says if you had a variance before how it's affected or how it [inaudible] now, and that red line is the line that the 50-foot setback represents. Chairman Hair said, but this amendment corrects that problem. Right, Rob [Brannen]? Mr. Brannen said, no. Well, yes, the amendment corrects the problem. The amendment before you now. Chairman Hair said, if the amendment passes now, it corrects the problem. Mr. Brannen said, if the amendment passes, it corrects the problem, and that's why the MPC did this, to address this kind of problem and they left open to come back and deal with —, with the issue further on, but these clients in particular have houses that were ready to be built and are being denied building permits because of the setback problems that this creates. There is a section in the ordinance that says if you have vested rights that maybe this doesn't apply to you, but there's no way to —, vested rights is a fact question. How do you determine whether you have vested rights? We've got two ways. One, we can file a variance appeal. We've got 18 lots, that's like \$22,000 to get variances on these lots, or we go to court. Those are the only two ways. There's no way, nobody that will tell you whether you have a vested right or not, and that's where the problem is with the ordinance because a lot of people do have vested rights. There's no doubt that this would be an unconstitutional taking on these lots I'm showing you up here, but I've got to go to court to prove that, and that's not fair. You just signed the plat in '99, we've got

to give them some relief now so they can keep developing or keep building. They weren't the developers. They didn't apply for the variances. They just bought the lots and are building houses.

Chairman Hair said, you know, I guess I don't see why --, I don't understand the opposition to this, Commissioner Murray. I think this is fair. It's been through the process, and it protects people's property rights. I don't understand what the objection is. It's a good amendment. It needs to be amended. Commissioner Murray said, I can tell you what my objection is and the objection to the people that I've talked to about it is, is that when you put it back in to the 25 feet and leave it, that means any lot can do that. There's a process, and I disagree with you, I think there is a process that you can do to get approval to build these homes. No one's saying they can't build homes on these lots. That's not the intent. Mr. Brannen said, the process is to get a variance and it's \$1,180 per lot. We've got 18 lots there. At least 18, there may be more than that. You signed the plat in 1999. It's not fair to make them go back and pay \$22,000 now to try to get it approved. Commissioner Kicklighter asked, can we --. Chairman Hair said, I totally agree. Commissioner Kicklighter said, oh, I'm sorry. Chairman Hair said, go ahead, Commissioner Kicklighter.

Commissioner Kicklighter asked, can we possibly waive the fee for those particular lots where you can? Chairman Hair said, no. Commissioner Kicklighter asked, no? Mr. Brannen said, I mean, they still have to go through the variance approval process so --. Commissioner Odell said, the amendment needs to be approved. Chairman Hair said, this is --. It does, it needs to be approved.

Chairman Hair said, okay. I'll entertain --, we have a motion and a second, do we not, Sybil [Tillman]? The Clerk said, yes sir. Chairman Hair said, motion to approve and a second. Commissioner Rayno said, someone wants to speak right there in the back. Chairman Hair said, okay.

Ms. Jean Valentine said, I'm Jean Valentine, President of the Islands Citizens for Logical Growth. I want to ditto everybody. We totally agree with Commissioner Murray. We've had several meetings on this. We worked for five years on the new 20-year development plan. There are other ways to deal with these units. I'm sure that we can work something that they will not be charging \$22,000 to go before any boards, and if they've had since '99, they know we've been working for five years. I just think that we're trying to preserve the islands, not just Wilmington Island, but all the islands and the marshes and all the things that go along with that, and I think that these should be dealt with on an individual bases. There's a development, come on up with those 18 units and go before the board of appeals, and I don't think we should be penalized to have to go before the board when something like this happens. It's a one-family deal, and I just didn't want to continue, but I'll be a ditto-head for Frank Murray. Chairman Hair said, thank you, Ms. Valentine.

Commissioner Murray said, let me ask a question. Chairman Hair said, okay, Commissioner Murray. Commissioner Murray asked, Mr. Brannen, on this map that you showed us, that you passed out, does one person own this total tract or are these individual lots owned by individual people? Mr. Brannen said, there's one company that owns all of those lots that I have indicated. There are other lots in that neighborhood that are not built on that have the same problem. Commissioner Murray said, no, my question is, where you've got the red line drawn, all these lots, are they owned by one individual or are they owned by separate individuals? Mr. Brannen said, separate individuals. Commissioner Murray asked, so why is it going to cost one person \$22,000? Mr. Brannen said, the one --, the person that called me owns 18 of them. There are more than 18 lots in that subdivision. I just drew the line around all of them. Commissioner Murray said, I would like to see this tabled to our next meeting until the County Attorney can look and see if there's some way that they can get approval to do what they need to with these lots that we just don't outright change everything in the ordinance we just approved. County Attorney Hart said, that would require an examination of their site plan, and I'd be glad to do it if they've got them available. You know, without be able to --.

Chairman Hair said, let's see if the motion passes first. We have a motion to table. Do I have second? Commissioner Kicklighter said, second. Chairman Hair said, this is a motion to table. All those in favor vote yes, opposed vote no. Commissioners Rayno, Rivers, Murray, Gellatly and Kicklighter voted in favor of the motion to table. Chairman Hair and Commissioner Odell voted in opposition. The motion to table carried by a vote of five to two. [NOTE: Commissioner Thomas was not present; District Three was without a representative.] Chairman Hair said, the motion is tabled.

Mr. Brannen asked, can I get my maps back? Thank you. Commissioner Murray said, you gave them to us for information I thought. We can't keep them in our packets? Mr. Brannen said, I just want to keep it confidential. Chairman Hair said, I think he has a right to have them back. Commissioner Murray said, that's okay. I know where it is. I know exactly where it is.

#### **ACTION OF THE BOARD:**

1. Commissioner Odell moved to approve an amendment to Section 4-12C(5) of the Chatham County Zoning Ordinance, Islands Environmental Overlay District, to reduce the minimum building setback requirement from the marsh line for platted or recorded lots not occupied by a residential structure. Commissioner Rayno seconded the motion.
2. Commissioner Murray moved to table this item to our next meeting until the County Attorney can look at it and see if there's some way that they can get approval to do what they need to with these lots. Commissioner Kicklighter seconded the motion. Commissioners Rayno, Rivers, Murray, Gellatly and Kicklighter voted in favor of the motion to table. Chairman Hair and Commissioner Odell voted in opposition. The motion to table carried by a vote of five to two. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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**XIII. INFORMATION CALENDAR**

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

**ACTION OF THE BOARD:**

Written report received as information.

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

**ACTION OF THE BOARD:**

Written report received as information.

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

**ACTION OF THE BOARD:**

Written report received as information.

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- 4. **TRANSMITTAL OF DRAFT EMS CONTRACT (UNDER SEPARATE COVER) FOR BOARD INFORMATION.**

**ACTION OF THE BOARD:**

Written report received as information.

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**EXECUTIVE SESSION**

Upon motion being made by Commissioner Kicklighter, seconded by Commissioner Odell and unanimously approved, the Board recessed at 10:40 a.m., to go into Executive Session for the purpose of discussing litigation, land acquisition, and personnel. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 10:58 a.m.

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**ITEMS FROM EXECUTIVE SESSION**

- 1. REQUEST BOARD APPROVE A PAY ADJUSTMENT AND A RECLASSIFICATION IN COUNTY ATTORNEY'S OFFICE.**

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to approve the request of the County Attorney's Office for reclassification of Dawn Carter from Administrative Assistant IV to Paralegal Trainee and authorize a transfer of \$2,160 from professional fees to salary and wages for an annual salary adjustment for Dawn Carter, and transfer \$1,458 from professional fees to salary and wages for an annual salary adjustment for Jackie W. Roberts. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to authorize the Chairman to execute an affidavit that the Executive Session was held in compliance with the Open Meetings Law. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present; District Three was without a representative.]

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**APPOINTMENTS**

None.

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**ADJOURNMENT**

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 11:09 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