

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, JUNE 14, 2002, 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, June 14, 2002.

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**II. INVOCATION**

Mr. Van Johnson 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.

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| PRESENT: | Dr. Billy B. Hair, Chairman<br>Dr. Priscilla D. Thomas, Vice Chairman, District Eight<br>Frank G. Murray, Chairman Pro Tem, District Four<br>Jeffrey D. Rayno, District One<br>Joe Murray Rivers, District Two<br>Harris Odell, Jr., District Five<br>David M. Gellatly, District Six<br>B. Dean Kicklighter, District Seven |
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| ABSENT: | John J. McMasters, District Three |
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| IN ATTENDANCE: | R. E. Abolt, County Manager<br>R. Jonathan Hart, County Attorney<br>Sybil E. Tillman, County Clerk |
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**YOUTH COMMISSIONERS**

Chairman Hair welcomed the following Youth Commissioners who were in attendance: Haley Stone, Chairperson-Elect, a Senior at Johnson High School, and Rizza Palamares, Vice Chairperson-Elect, a Senior at Calvary Baptist Day School.

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## **V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

- 1. TO PRESENT TO THE BOARD A “NEWS RELEASE” – CHATHAM COUNTY, GEORGIA, HAS BEEN AWARDED THE HIGHEST AWARD IN PUBLIC BUDGETING FOR THE THIRTEENTH YEAR FOR ITS 2001 ANNUAL BUDGET.**
- AND -**
- 2. TO PRESENT TO THE BOARD A “NEWS RELEASE” – CHATHAM COUNTY, GEORGIA, HAS BEEN AWARDED THE HIGHEST AWARD IN FINANCIAL REPORTING FOR THE EIGHTEENTH YEAR FOR THE 2001 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR).**

Chairman Hair said, the first thing on our agenda this morning, we have a couple of presentations and news releases on the budget awards. Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Dr. Thomas and gentlemen, I'm quite certain that if in these front rows we have seated the Los Angeles Lakers or, before them, the Chicago Bulls, who received great prominence in winning championships for the NBA three years in row, people would be getting autographs, celebrating, giving high-fives. I put you all on notice that the ladies and gentlemen to my left far exceeded that. In effect, you're looking at men and women in the Finance Department that have done something truly unprecedented. They have in two awards received, which Mr. White has, and I would like Reese [White] to stand on my right here. Reese is a very bashful individual. We have, first of all, our award for budgeting. This represents 13 years in a row of that special distinguished recognition in the Government Finance Officers Association, which is both representing the financial officers in this country and Canada, and then we have 18 years in a row the award for audit, our Comprehensive Annual Financial Report. That is truly outstanding. There aren't too many cities and counties certainly in the United States that can rival that. I certainly know, as you do, and I'm very grateful for the legacy of David Persaud, but the men and women that stand before you are here because they are equally committed to this type of quality public service. And for all those cities and counties out there that are hoping to compete with Chatham County in the years ahead, permit me one more basketball analogy, you remember Mr. Persaud, look at Mr. White, folks, we've picked up some height.

Mr. Reese White said, Mr. Chairman, that may be all I offer you is height. I'm the new guy in that department, as you all know, but I'm proud to be associated with the quality of people that we have there and the ability that they've shown over the years to earn these awards, and I'm going to ask Read DeHaven to take the budget award and hang it over there. I've written down the names since I'm so new. Read DeHaven, Estelle Brown, Chris Morris and Rhonda McCullough. That's your budget office staff. And I'll ask Tom Drane, if he would, take the CAFR award and hang it over there. Finance staff –, I didn't bring the whole department. Some were out sick, some are very tied up with their jobs right now, but the ones that are here: Tom Drane, Leshia Lanier, Delores Stokes, Lynn Stennett, Joyce Prescott, Vida Hill, Melody Nelson. I'm very proud to be working with these folks.

Chairman Hair said, thank you, Reese [White]. Congratulations.

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### **3. YOUTH COMMISSION GRADUATION AND RECOGNITION CEREMONY.**

Chairman Hair said, we'll now have the Youth Commission graduation recognition ceremony. Chairman Hair recognized Mr. Van Johnson.

Mr. Johnson said, good morning, Dr. Hair, Dr. Thomas, gentlemen. There has been so much talk lately about survivors. With the success of the television Survivor and Survivor II series, much emphasis lately has been placed on survivors. Even as long as 20 years ago, before these young people we celebrate today were born, America was talking about survivors. But we're proud to say that today the names of Gilligan, the Skipper, too, the millionaire and his wife, have been replaced by the names of ZaDonna, Sumati, Kelie, Dwayne, Carvell, Renee, Hanna, Frank, Nelson, Renekia, Aminata and Christina, hereinafter known as the Chatham County Youth Commission Class of 2002. They are survivors because they've endured the test and they've survived the high school experience, which by the way everyone does not achieve nowadays. As much as some public policy and political science schools of thought may advocate that you are entrusted to build great structures of bricks and mortar, I submit to you that because of your investment in Chatham County's youth that you are building character, you're building integrity, you're building a sense of community, and you are building a commitment to this community. You've watched them grow, you've watched them mature, you've watched them develop, and today we entrust them to a waiting world full of danger and peril, but full of possibilities and opportunities. I was invited to Athens this week to speak at the University of Georgia's Don Mendonsa's Seminar for Teachers and will be serving on a seminar next week at the GMA and later on this month some of our youth will be heading to Washington, DC, to participated in the United States Health and Human Services Department's first annual youth summit. Why? Because people all over the country want to know more about what this Commission has done in Chatham County. That is, you all have bridged a gap between the young and, let's say, the more seasoned. We are particularly delighted that while several of our graduates are headed out of town to pursue their secondary education,

many of our graduates will matriculate right here in this community, which means you will be seeing them again. This successful year would not be possible without the blessings from God, from whom all blessings flow, Dr. Thomas's extraordinary vision almost 10 years ago, the willingness of your predecessors to adopt this vision, and your continued support even to this day, and particularly and especially to the parents of this dynamic young leaders, who have allowed us to challenge them, to make them mad, to make them cry, to chastise them when necessary, but also to nurture them, to comfort them, and to support them. I'd also personally like to thank Mr. Abolt for his excitement and encouragement, Mr. Kaigler for his support, and the County department heads who seem to have a real problem saying no to the Chatham County Youth Commission. I would also especially thank Mr. Pete Nichols for his outstanding support and participation and to the greatest team in the world, Mrs. Debra Allen, Mrs. Connie Roberts, Mrs. Jill Growe and Mrs. Louise Copeland for making it happen daily in spite of their other many, many duties. I take great pride in presenting to you the Youth Commission Class of 2002. And if you will come down to make the presentations, and as I call your names, graduates, will the graduate and parents please come forward.

ZaDonna Slay, Chairperson, Jenkins High School. She'll be going to Savannah State University.

Sumati Gupta, Vice Chair, Jenkins High School. She will be attending Duke University.

Kelie Connor, Secretary, St. Vincent's Academy. She'll be attending Hampton University.

Dwayne Allen, Parliamentarian, Savannah Arts Academy. He will be attending Georgia Southern University.

Carvell Allen. He's an executive member, Savannah Arts Academy. He's going to Armstrong Atlantic State and he has one of the distinctions of being a four-year Youth Commissioner. And he's tall.

Hannah Carter, Calvary Baptist. She will be attending Mercer University. Please keep Hannah's family in your prayers. Her sister had surgery and that's why her parents are not here. She's in intensive care, so if you will keep them in your thoughts and your prayers.

Frank Frazier, Johnson High School. He's going into the United States Air Force.

Nelson Lewis, Savannah Christian. He will be going to Lynn University.

Renekia Mewborn, Jenkins High School. She will be going to the University of Miami.

Aminata Traore', Savannah Arts Academy. She will be attending Lynchburg College, and she's a four-year Youth Commissioner. And last, but not least:

Christina Watts, Beach High School. She will be attending Georgia State University.

Mr. Johnson said, let's give all of our graduates a big round of applause. We will now have some brief remarks by ZaDonna Slay, ex-Chairperson now, and graduate.

Ms. ZaDonna Slay said, to Chairman Dr. Billy Hair, Vice Chairwoman Dr. Priscilla Thomas, other County Commissioners, County officials, staff and fellow citizens, good morning. As I stand before you for my last time as a Youth Commissioner, first off I'd like to begin by thanking God and my parents, Mr. Randolph Slay and Ms. Carolyn Mewborn Slay. Without them I would be weak, unconfident and unsuccessful. I owe much to them my success for giving me the strength, courage, discipline and knowledge to sustain through life's struggles I faced throughout the years. Next, I would like to give a heartwarming sincere thank you to my mentor, my role model, my mother, Dr. Priscilla Thomas. Dr. Thomas, your charisma, grace, style and demanding style has brushed off on me. I believe that my outspoken political ways have come from you. At times when I needed guidance during my term as Chairperson, I've often thought of what you would do. I think of your strong determined ways to keep me going when life's obstacles face me. Each Commissioner who individually took the time to inspire, motivate and contribute to the Youth Commission, thank you. Thank you for accepting us as young politicians in the community. This is an organization that has been instrumental in our background socially and educationally. To the staff of Chatham County, your hard work behind the scenes has truly paid off. As a result, 12 graduates were produced from the Class of 2002. Thank you for taking the time away from your profession to oversee, support and guide teens in a positive way. My advisors, Mr. Van Johnson, Director, Mrs. Debra Allen, Louise Copeland, Ms. Jill Growe, Mr. Pete Nichols and Ms. Connie Roberts. All I can say to you is you instilled in me so much about issues that affect me and my community. Your inspiration has guided me to reach any dream I aspire. Your kind words and leadership has made me the young lady I am today. I don't know if I'll ever be able to fully thank each of you in words, but the product of a successful young lady will be proof enough in the end. Mr. Van Johnson, collectively known as Daddy Johnson to me, through the last minute scholarship recommendation, learning the decision-making, leadership processes, visiting me during a critical time of my hospitalization, and raising 42 other young kids of the community this year, you have become more than a second father to me, but another mentor, role model, role leader who I will always have the utmost respect for. Your charisma with kids and motivation not to give up on me —, on the youth, especially me. To my former Youth Commissioners, I've known some of you for three years, others for two, and some for one. I've earned little brothers and sisters, big brothers and sisters. Thank you for your kind support through all the Youth Commission projects. I expect to hear good things from you. After all, we've been together for a long time and we like to do stuff. You're doing positive stuff rather than getting pregnant, making —, you're doing positive things rather than getting pregnant or on drugs. I commend each one of you, and continue to prove people wrong. Much success in your future endeavors and God bless.

Ms. Slay said, to Dr. Thomas, again, on behalf of the Youth Commission, thank you for your love, support and vision throughout the years. Your dream is now a vision and a goal that has been completed by us graduates today. May God continue to bless each one of you in your future endeavors. Once again, thank you for your support, love and care.

Commissioner Thomas said, thank you, Youth Commissioners. I'd like to read this letter, and each of you have a special letter. If it's not in your packets, you will be getting it, but I'd like to read this to the Chairperson —, the outgoing Chairperson, and each one is very unique because it fits you as an individual, and this is what I'd like to say about ZaDonna [Slay].

Dear Ms. Slay:

How time flies. It seems like yesterday that you became a member of the Chatham County Youth Commission, yet you have accomplished so much during your tenure. Your leadership has been impeccable. You have not only helped to pave the way for empowering young people of Chatham County, but at the state and national levels as well. Graduation is upon you and I want to wish you well as you plan to matriculate at Savannah State University, my first alma mater. I know you will continue to be successful, and if I can assist you in any way possible, please don't hesitate in letting me know. Remember by putting God first, everything else will fall in place. Graduation brings so many changes. It's a time for leaving the familiar to explore the new horizons, for looking back on favorite memories and forward to making new moments to remember. While graduation marks the end of one chapter of your life, it's really just a beginning of a wonderful future for you. So remember that even though this is a time of change, it's also an exciting time of opportunity. You have been an extraordinary positive example of what leadership is all about. Continue to be positive in your life.

Commissioner Thomas said, and I'd just like, to thank Mr. Johnson and all of the advisors who have stood tall and have worked so hard, and this is without any extra pay. This is in addition to their regular jobs, and also the additional staff that have been so helpful throughout this year. And I would also like to thank the parents. You have been wonderful in supporting them. And, last, but not least, I want to say to the Chatham County Commission Chairman and all of my colleagues, you have made me so proud by continuing to support these young people. Without your support we could not have done the things that we have done, but I want you to know that you are making an indelible mark on these young people's lives, and it's through them that we are going to have a future. So if you continue to support the future, then the future is going to be brighter as we continue to move on in our lives. Thank you.

Mr. Carvell Allen said, good morning. I have had the opportunity of being on the Youth Commission for four years, and through these four years I've had my mom to help me get through everything that come up, the good times and the bad times, and she also has helped me grow into the person that I am today. And I just want to call my mom up and I want to tell her thank you for everything that you've done for me and everything that you will do for me.

Ms. Aminata Traore' said, I have the opportunity to give these flowers to a special woman who had done a lot for the Youth Commission, including giving us snacks like when we come for the meetings because we're really hungry after school. Ms. Roberts, thank you very much for everything you've done.

Ms. Hannah Carter said, the graduating Commissioners would like to thank Ms. Jill Growe. She has done a lot of work with the Youth Commissioners, has always had a great smile on her face and so we would just like to thank her. She's not sitting here right now, but these are for her —, these are for you, Jill [Growe].

Mr. Johnson said, at this time we'll just take a couple of more minutes. The Youth Commission will present their second annual Beverly M. Whitehead Award. Beverly M. Whitehead was a former Chatham County Human Resources Director. She worked tirelessly with Dr. Thomas to develop and promote the Chatham County Youth Commission. When Beverly [Whitehead] passed away almost four years ago, we wanted a very tangible way to memorialize her commitment and legacy to the youth of Chatham County. Each year the Chatham County Youth Commission selects at least one individual who has demonstrated excellence and commitment in the assistance and promotion of youth and youth activities through the Chatham County Youth Commission. Prior recipients include Dr. Priscilla Thomas, Congressman Jack Kingston, former School Board Superintendent Virginia Edwards, and Cumulus Broadcasting, Ms. Jewell Carter. As youth debated about their selection over weeks and weeks and weeks, they decided on not one but three recipients for this year's award. Ms. Mewborn, Ms. Connor and Ms. Gupta will make these presentations.

Ms. Mewborn said, good morning. Our first award goes to Mr. Henry Hughey from the Mighty Eighth Air Force. A couple of months ago during their 60<sup>th</sup> anniversary, they came to our meeting and he shared his experiences in World War II with the Mighty Eighth Air Force, and I think that he touched not only me, but the entire Youth Commission with his stories of courage and bravery in light of dangerous situations. And I think that he's a positive role model and influence for all of us, and during a later Commissioners meeting I gave a presentation to him, and they were so impressed with us, kind of like a mutual trade, I guess, they decided to give us a very nice donation and we plan to use it wisely. So to Mr. Hughey, who is not here, I present the 2002 Beverly M. Whitehead Award.

Ms. Cannon said, good morning. Our next recipient of the Beverly M. Whitehead Award is someone that we have all grown to know and love on the Youth Commission. He is truly a mentor and a friend. He takes time to talk with the Youth Commission whenever we have questions and his smile and warm personality lights up the room. He's a man of honor and integrity. Even though he has a very difficult job to do, this man is able to face whatever criticisms without becoming disagreeable. He has shown us how to be [inaudible] agents. During our trip to the All-American Community Competition last year, he and his wife were our biggest supporters and cheerleaders. He continues to support us day in and day out. I am pleased to present the 2002 Beverly Whitehead Award to you, to our Community [sic] Manager, Mr. Russell E. Abolt.

County Manager Abolt said, I had no idea. Thank you. Thank you very much. It's wonderful. Thank you.

Ms. Gupta said, our last recipient of the Beverly M. Whitehead Award is someone who means a great deal to us. Ever since he has become part of our family, he has been there, going above and beyond to help us in every way possible. On a personal note, I would like to add that he has been a great help to me during my senior year. His exemplary efforts

in video gave me the edge I needed in my application to Duke. He's a good-hearted man who has done more than the Youth Commission could ever ask for. It is with great pleasure that I present the 2002 Beverly M. Whitehead Award to our Public Relations Coordinator, Mr. Peter Nichols.

Mr. Nichols said, like Russ [Abolt], I had no idea and I am absolutely speechless. But I can say one thing. I just thoroughly enjoy working the Youth Commission and look forward to continuing to work with them. It's a wonderful organization.

Chairman Hair said, thank you, Pete [Nichols]. Mr. Johnson, is that it? Again, congratulations to all the graduates. We appreciate the service you've given to the County Commission. It really has benefitted us a lot. We wish you very well in the future. Congratulations.

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**4. PROCLAMATION FOR SHEILA W. BROUSSARD, PROPERTY TAX ADMINISTRATOR-CHIEF DEPUTY, ON HER RETIREMENT.**

This item was withdrawn from the agenda.

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**5. PROCLAMATION FOR DAWINA J. LINTON, CASHIER SUPERVISOR, ON HER RETIREMENT.**

This item was withdrawn from the agenda.

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**6. PROCLAMATION FOR HOLLY L. CLAGHORN, ASSESSOR'S OFFICE, ON HER RETIREMENT.**

Chairman Hair read the following proclamation into the record:

**WHEREAS**, time brings on change – a change from the role of employee to retiree, and today we salute a Chatham County employee who has decided to make that change, Holly L. Claghorn; and

**WHEREAS**, Holly L. Claghorn, a native of New York City, began working with the Assessor's Office on June 1, 1992, and is retiring as a GIS CADD Technician where she operates all the automated mapping programs; and

**WHEREAS**, during her ten years with Chatham County, Holly has dealt with various departments in the City of Savannah as well and has made notable contributions to the Assessor's Office.

**NOW, THEREFORE**, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby extend best wishes to:

**HOLLY L. CLAGHORN**

upon her retirement and express sincere appreciation for ten years of dedicated service to the Chatham County Assessor's Office and extend best wishes to her and her husband Charles as they relocate to Las Vegas, Nevada.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed this the 14<sup>th</sup> day of June, 2002.

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Dr. Billy B. Hair, Chairman  
Chatham County Commission

**ATTEST:**

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Sybil E. Tillman, Clerk

Ms. Claghorn said, I just want to thank everyone for this, and it's been very enjoyable for the last 10 years working with everyone. I want to thank the taxpayers, the public, and all of the Commissioners and my fellow workers. Thank you for everything. Chairman Hair said, thank you.

Mr. Abraham Adewara said, good morning. My name is Abraham Adewara. I've been with the Assessor's office for 15 years. Holly Claghorn, is powerful. She's my office wife. I've been knowing this woman for 10 years. She is a CADD Technician –, GIS CADD Technician for the Assessor's Office, and she has worked for the Chatham County since June 1, 1992, for a total of 10 years. She is a native of New York City, having been transplanted on Tybee for the last 19 years, but not long. She plans to retire in Las Vegas, Nevada, in the near future with her husband, Charles. She lives nearest to her youngest daughter, Jennifer, who is an Environmental Engineer working for S&ME, Inc., in Charlotte, North Carolina. Jennifer will receive her Masters Degree in Civil Engineering this July, graduating with high honors with a GPA of 3.9 from Auburn University. Moving to Las Vegas will bring her nearer to her oldest daughter, Melissa, who will soon be wed in September. Melissa works for the Riverton, Wyoming office of the National Weather Service as a Service Hydrologist/Meteorologist. She is a graduate of Iowa State University in Meteorology and also graduated with honors. Holly's husband, Charles, is retired from the Corp of Engineers as a Value/Civil Engineer and now a consultant engineer in the same field. She enjoys her hobbies of hand quilting and swimming. She is also an instructor in applications of using different quilting designs. She graduated from high school in the Bronx and went on to take a course in computer programming and landed a job with Bechtel Engineering where she worked as a computer programmer before getting a 1,000-hour mechanical drafting degree from Delehanty Institute of Drafting. She Holly then became a pipe draftsman and left Bechtel to be married in Arlington, Virginia. She worked for a few Navel Architects and Marine Engineering firms as a pipe draftsman and worked up to a Junior Designer of container ships. After having the girls, she went to work for a printing firm as a layout artist before moving to Savannah. Once here, she worked as a teacher's aid and was substitute teacher at Tybee Elementary. As the girls were growing up, she took on real estate and then went back to her career in drafting for engineering and surveying companies, which then lead her to the mapping department in the Assessor's Office. Her job required operating all the automated mapping programs to perform routine drafting operations to create and correct the tax maps. She verifies all data from plats and legal documents in order to split or combine properties. She gets a lot of satisfaction from helping the public, dealing with solving property problems and locating properties. The joker, Pat Langston, always kids around about how Big Bird makes a mess in her chair, putting work in her seat –, which is white paper –, all the time, as it means more work for Pat Langston. Pat enters all the data from the plats and deeds for splits and combinations after Abraham –, which is me –, and Holly completes the process of mapping them. After Holly's dealings with a lot of different departments in the City and County while in her 10 years of working for the Assessor's office, she will be missed. Her dedication and contributions to the Assessor's Office will be remembered by all those who have known her, and all the people she helped through the years. Thank you. Chairman Hair said, thank you.

Mr. Gary Udinsky said, there's nothing left for me to say. I do have on thing though. First of all, Holly, this is a small token of the County's appreciation for the work that you've given to the County, but the real thing that I think that Holly's contribution that you've got to understand, Holly is one of those people who does not want to see a person come to the office and not get what they want. Even if it's not even something that we can supply, she goes that 100 extra miles to satisfy every single request. What we're going to miss most about Holly is, she's always the person who we send those clients to or those customers to who we're not sure how to answer their question because she always figures out a way. She's wonderful with customer service and we're truly going to miss that. Ms. Claghorn said, thank you, Gary [Udinsky].

Chairman Hair said, thank you. It's going to be a cultural shock to go from Tybee to Las Vegas though, I'll tell you.

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## **VI. CHAIRMAN'S ITEMS**

None.

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## **VII. COMMISSIONERS' ITEMS**

### **1. TYBEE PIER (COMMISSIONER MURRAY).**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, the reason I had asked this to be put on there, there's been a lot of conversation about the Tybee Pier and selling it and not selling it and the keeping it and Tybee wants it, and those type things, but that is not the reason this is on the agenda. The reason it's on the agenda is there's also been discussion about revenues and what to do about revenues and, as I understand it, the concession person that runs the Tybee –, concession for the Tybee Pier does not have, I guess it's based on our –, and cannot sell beer and wine on the Tybee Pier, yet people can go across the street and buy it and carry it on and it's not prohibited from alcohol being on the pier. If somebody has a

reception or something, they can serve it, but you cannot sell it. I would like to see us amend that ordinance and, Jon [Hart], as the attorney I'm not sure exactly what needs to be done to do that, but I would move that we amend that ordinance to allow sales of beer and wine on the Tybee Pier with that concession. I also understand that about two years ago that he has taken on the contract for the maintenance and clean-up around the pier and stuff. I've had many, many less phone calls than I used to have about it. He has saved us quite a bit of money from what I understand by doing that, and so I would just --, I would move now that we approve to amend our ordinance to allow the beer and wine sales by the concession on Tybee Pier.

Chairman Hair asked, do I have a second? Commissioner Odell said, I will second. Chairman Hair asked, any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rayno, McMasters and Thomas were not present.] Chairman Hair said, the motion passes.

County Attorney Hart said, Mr. Chairman --. Commissioner Murray said, let me ask a question. Once we've approved that, what process do we go through and what does he have to go through. Does he have to buy the beer and wine license from Tybee or Chatham County or --? County Attorney Hart said, well, I need --. Commissioner Murray asked, and how long of a process is this? County Attorney Hart said, I need to have some time to look at that. Technically, what we're going to have to do, there is a couple of factors. One, I'm going to have to make sure that we stay in compliance with the DNR because they have some say-so over what happens on that pier. I don't think that's going to be a problem because we've sort of spent some time in the last month or so talking about the possibility of going out with a RFP on services down there, and I think we'll be able to work that situation out. We will --, since it is an amendment to the ordinance, we will have to have a first and second reading and, you know, what I need to do is just basically draft up an ordinance for your consideration and make sure we dot all the I's and cross the T's and I'll have that ready for you for the next meeting. Commissioner Murray asked, but that is the only way that we can do it is amend the ordinance, isn't it? County Attorney Hart said, correct. Commissioner Murray said, it's the process so the first meeting in August --, I mean, July. County Attorney Hart said, first reading next two and for two readings and then we'll --, it'll be done. Commissioner Murray said, so the first meeting in July will be the second reading. County Attorney Hart said, correct.

Chairman Hair said, thank you.

**ACTION OF THE BOARD:**

Commissioner Murray moved that the Board authorize staff to prepare an amendment to the County's ordinance to allow the sale of beer and wine by the concessionaire on Tybee Pier. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Rayno, McMasters and Thomas were not present.]

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**ORDER OF BUSINESS**

Chairman Hair said, we've had a request from Commissioner Rayno to move up the Warren hardship case in front of the CAT meeting. Without objection, we will do that. Anybody object to that? Okay. So we will now begin discussion of the Warren hardship case.

[NOTE: Item VIII-1 was taken out of order and was heard at this point on the agenda.]

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**CHATHAM AREA TRANSIT AUTHORITY**

The Board recessed as the County Commission at 10:35 a.m., and reconvened as the Chatham Area Transit Authority.

The Chatham Area Transit Authority was adjourned and the meeting was reconvened as the County Commission at 11:02 a.m.

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**VIII. TABLED/POSTPONED ITEMS**

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

- \* 1. **PRESENTATION BY MR. TIMOTHY WARREN ON WHY MEDICAL HARDSHIP GRANTED TO MS. HELEN WARREN, WHO RESIDES IN A SEPARATE STRUCTURE ON HIS PROPERTY AT 250 SHIPYARD ROAD, SHOULD BE CONTINUED.**  
 ! Letter was received on May 6, 2002, from Mark A. Bradley, attorney for the Warrens, requesting item be removed from agenda of May 10, 2002, and rescheduled for a later meeting.  
 ! Fax was received May 21, 2002, from Mrs. Warren's legal counsel asking that item be continued to the meeting of June 14, 2002.

Chairman Hair said, I think that some folks want to speak this morning. I'll call on Commissioner Rayno first to introduce it and then anybody else that wants to speak will be allowed to speak. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, we have to take it off the table, sir. Chairman Hair said, yes. Make a motion to take it off the table. Commissioner Rayno said, I make a motion to take it off the table. Commissioner Murray said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner McMasters was not present.] Chairman Hair said, the motion passes.

Commissioner Rayno said, I wanted to ask some questions before we got started. In a medical hardship case, Mr. Hart, isn't it the owner of the property that has to make that claim? County Attorney Hart said, generally speaking, that is traditionally been the request. There's nothing expressly, I think, in the ordinance that say the tenant can't, but traditionally as far as --, as long as I've been the County Attorney, we've always seen medical hardship requests come from the owner of the property or some ownership interest in the property. Commissioner Rayno said, well, the owner of this property happens to be Rock Reed and not Mr. Warren according to the property tax records. What legal right do they have to ask for a medical hardship? County Attorney Hart said, the granting of a medical hardship on a piece of property is purely in the discretion of this Board, and if this Board chooses not to grant it, it doesn't have to grant it. If it chooses to grant it, you can grant it. Commissioner Rayno asked, is the location of this house, is it in the rear of the property or on the side? County Attorney Hart said, I have not visually been out there to eyeball the property myself. I have had several people make hand sketch representations to me as to the property without it being accurate to a survey, and it really looks to me like it's more at a --, the main house and then the building behind it is more at a 45-degree angle. Commissioner Rayno asked, does that fall under the requirements of Section 3-6.1 where it requires the accessory buildings to be in the rear of the property and zoned R-1? County Attorney Hart said, you've got a peculiar shaped lot. It is technically --, the structure itself is technically behind the back wall. That would probably be a question that the Zoning Administrator would need to rule on under the Zoning Ordinance because from time to time these odd shaped yards, when you're applying setbacks, you get into issues of what constitutes a front yard, side yard, back yard setback, and for purposes of consistency, I would wish to leave that up to his judgment. Commissioner Rayno said, they put in a gas meter prior to asking for a medical hardship in the year of --, January of 2001 and, according to County Code 20-312, they're required to file a \$15 fee in inspection and to our knowledge that hasn't been done, has it? County Attorney Hart said, I personally do not know that. If you have checked that out, I would assume you would be accurate in that. Commissioner Rayno asked, under Administration and Enforcement of Zoning Code, Section 3, subsection (c) on page 210.2 of the Zoning Code, aren't they required to approve the site for wells and septic tanks to see if the septic tank can handle the load that would be put upon it by the accessory building? County Attorney Hart said, if there is a secondary restroom to a accessory building and it's not connected to a public water and sewer, the Health Department must make an inspection for purposes of ensuring that there is adequate drain field and the septic system can --. Commissioner Rayno said, we directed you to look into that at the last meeting. Did you do that? County Attorney Hart said, no. Commissioner Rayno said, no. How come? County Attorney Hart said, I just didn't remember to do that. Commissioner Rayno said, you seem to keep fumbling a lot on this case --.

Chairman Hair said, Commissioner Rayno let's not get personal with it. Commissioner Rayno said, well, I can cite for you four different things where he just forgot to do it with this particular case, but I'll bring that up at a later time. County Attorney Hart said, Mr. Rayno, I will be happy to look into that and I will be happy to discuss it with you. If you will recall, sir, I believe that staff, as well as myself, did not recommend the granting of this medical hardship in the first place.

Commissioner Rayno said, on March 8<sup>th</sup> we required them to leave in 30 days and find a new place. It was passed by this County Commission. And, again, I ask you why are these people still in this building? County Attorney Hart said, we wrote them on April 12<sup>th</sup> and asked them to appear before at the direction of this Commission to present their side of whatever it was they wished to do. They requested two continuances. They are here to do that today. If it is the wisdom of this Commission that they do not wish to grant the medical hardship and it is the wisdom of this Commission that they desire to pursue the matter, we will take those steps necessary to enforce the will of the Commission. Commissioner Rayno said, okay. I'd just like to state again for the record that the Warrens are not the owners of this property, they violated County Code 20-312, they violated Section 3, subsection (c) of the Administration and Enforcement of the Zoning Code, they have violated 9-7 of the Administration and Enforcement Zoning Code because they failed to require [sic] for an occupancy permit and they did interior work on the property, which is in violation of County Code 20-303, without permission. So, if you want to come up and make some comments, I'd love to hear them.

Chairman Hair said, Mr. Warren --, I recognize Mr. Warren.

Mr. Tim Warren said, first, I'd like to address some of your concerns, Mr. Rayno. I am the owner of the property. I have a bond for title. It is on the notes, reported on the notes that I have a bond for title from Rock Reed. We did not have a gas meter put in. The gas meter was already on the property. I simply had the gas turned on. The Health Department come [sic] out and inspected the property to see if the —, if the septic tanks and all that was in proper —, and I have a letter from them stating that it is, that I will share with the Commission. I did some painting and some carpet work inside as well as put in some ceiling fans and light fixtures for which I don't believe I'm required to have a permit. I believe that's addressed all of his concerns, and I've got documentation for all this. At this time I've got some pictures I'd like to give to the Commissioners showing the property. Chairman Hair said, just hand them to the Clerk and we'll get them. Mr. Warren said, I'd also like to state that on the tax records I am paying taxes on that piece of property as if it is a house, not as a storage building, which may be a separate issue, but I just want the Commission to be aware of that. Commissioner Rayno said, well, how come Gregori Anderson didn't have any access to this information? Mr. Warren said, at this time I'd like to read a statement into the record, and then I'll be glad to address any questions you might have. I'm not real good on orator, so bear with me.

My name is Tim Warren and I would like to start by thanking the Chatham County Commission for giving me an opportunity to apparently address some concerns that were raised in a March 8, 2002, County Commission meeting. Let me at the outset state that while I had previously retained counsel to speak for me in this matter, I have decided to proceed on my own as it seemed very silly to me that I should need an attorney to explain these things that I have documented. I must also point out there was language and conversation spoken at the March 8, 2002, meeting which was not only contrary to the facts, but things were said and placed on the record that included blatantly false information regarding the nature of my 73-year-old mother's disability, which has proven to be quite upsetting, and had I been invited to that meeting, I believe this problem could have been resolved then and there. All I ask now is that I be given due consideration of what I have to tell you. By way of history, I have responded to and attempted to accommodate the Commission at every stage of this matter. I have but one goal here, and that is a simple one. I am going to be a good son and make sure that my mother is properly provided for. The only goal I have to accomplish is to ensure that my mother receives the highest care possible and that allows her to live as independent of a lifestyle as she possibly can given her failing health. I have previously provided you with documentation from her treating physicians clearly outlining that she has very real physical health problems. I share with you today another statement from her treating physician outlining that this is a medical hardship case. Again I point out, as I have previously told the Commission, that I have no desire to use the dwelling for any purpose other than for her to live while this medical hardship exists. I hereby offer and will be glad to sign a document reflecting that this structure is to be used as a dwelling only during such time as the medical hardship continues. If the Blackstons or the Commission are concerned that I am trying to clear the way for some sort of a permanent apartment, I am here to publicly state that this is not the case. I understand that as the ordinance currently exists that it cannot be used for that purpose. Please keep in mind that my mother, Helen Warren, owns another house in Paradise Park at 14 Sheridan Circle. This is a situation where this move has been made to accommodate her deteriorating health. The house which she owns in Paradise Park and which she continues to pay taxes and maintain has never been offered for sale nor has it ever been rented. I can assure you the house that she owns is of greater square footage than where she is currently residing. If truth be told, she would rather live in her house, but once again I reiterate the reason why she is where she is is so I can care for her when needed. Conjecture was had at the last meeting regarding why she doesn't live in my house. The reason for this is very simple. Number one, the layout of my house is not conducive —, conducive given her medical condition and, number two, my mother wants to maintain her independence as much as humanly possible until such time she is no longer capable of doing so. I can assure you from a costs standpoint it would be a lot cheaper if she got rid of her old house, but she holds onto the belief that maybe one day she will get better and go back to it. While I pray that she is right, I fear it will not happen. I have a petition signed by many of my neighbors clearly reflecting they have knowledge of her presence on the property and they have no problem with her being there. This matter properly became before the Commission on August 10, 2001. The Commission looked at the medical evidence and properly granted a medical hardship in this situation. I and my mother relied upon the County's granting of the medical hardship, and clearly it is our position that it was the right thing to do. I am at a loss as to why things have spun out of control in this situation. This property has a long and obviously troubled history of actions being taken by Chatham County, which in retrospect should not have been done. I cite you the January 9, 1996, letter from the Chatham County Inspections Department which recognizes this property was zoned for single family and went on to state, "The apartment on the property may be used for members of the owner's family, such as mother-in-law, father, sister-in-law, brother and children, as living quarters for family members." At no time after that letter was written did I attempt to move someone in the property. No, it wasn't until my mother's failing health necessitated it that some five years later with the property having been vacant that the need to use the dwelling became necessary, and only for her use as a dwelling. Comments were made at the March 8<sup>th</sup> Commission meeting regarding the condition of the unit my mother is in. Again, I do not understand why that issue was raised, when clearly the Chatham County Inspections Department on October 22, 2001, inspected the property for compliance with the Housing Code of Chatham County and found that it met the current requirements of the code. I have a copy of the October 22, 2001, letter from the Environmental Health Specialist that inspected the property for your review at this time. I have taken pictures to distribute amongst yourselves and make an open offer for you to personally come and see the property, as well as meet my mother if you so desire. My mother in no way causes any problem for any of my neighbors except for reasons which I cannot begin to comprehend to the Blackstons. As you can see from the pictures, most of us would love to have someone like here as a neighbor. Finally, I was told in the April 19, 2002, correspondence from the County Attorney that I was being invited to this meeting to explain, "why this medical hardship granted to Helen Warren, who resides in a separate structure behind your house, be continued." In response to that statement, unfortunately, I'm here today to tell you that my mother's health has gotten worse. Her weight has dropped from 128 to 109 pounds in the past four months. I find that I must do more and more for her in order for her to properly —, be properly cared for and balance that by trying to help her maintain somewhat of an independent existence. The reason why this medical hardship should be continued is very simple. Because it's the right thing to do. I understand that you're

charged with the responsibilities of your office to protect the citizens of Chatham County. I'm here to remind you that we, too, are afforded those protections. My mother's presence on this property is but for one purpose, and that is so she can enjoy the best quality of life given her deteriorating medical condition. I ask you, based on the information that I've shared with you, that you continue to allow me to afford her that quality of life by continuing the medical hardship which she was granted. Thank you.

Chairman Hair said, thank you, Mr. Warren.

Commissioner Rayno asked, can I continue to ask questions? Russ [Abolt], how come Gregori Anderson didn't have this information that Mr. Warren has today? He said that they've never inspected the property. County Manager Abolt said, we were allowed to inspect it only after the Board insisted that we do. This property, and I'll have Mr. Anderson come forward, as we both know, has had a very checkered past. From the very beginning staff has been concerned about the potential misuse of a building that apparently was constructed as a playhouse, and over time there has been issues brought not just to this Board, but also the staff that have created us, in effect, the position of recommending against the use or right, if you will, of medical hardship. This is one of the reasons, I might add too, the Metropolitan Planning Commission, when you all asked to look at it, were most concerned about, in effect, expanding and allowing exterior –, secondary dwellings to occur because of situations just like this. The medical hardship, and I'm not doubting this individual's ability to explain the situation, is one that we literally cannot manage. It is something in which once it's allowed to happen, how do you stop it? And that's why MPC recommended against it. I'll have Mr. Anderson come forward on the specifics. To my knowledge we've given you everything that we knew about this.

Commissioner Rayno said, Mr. Warren, I'm sorry about the condition of your mom. Would you please tell us again the date your property was inspected by the Environmental Health. Commissioner Murray said, October 2001. Mr. Warren said, I've got a letter I'll share with you. Commissioner Rayno asked, October 2001? Is that correct? Commissioner Murray said, that's what he said. Commissioner Rayno asked, Russ [Abolt], how come Gregori Anderson did not mention that date when he came before us. County Manager Abolt said, let me ask Mr. Anderson to come forward.

Chairman Hair asked, Mr. Anderson, are you here? Mr. Warren, while you're looking for that, if we can get Mr. Anderson –. Mr. Warren said, oh, I'm sorry. Chairman Hair said, he wants to answer a question. Mr. Warren said, I know I've got it.

Mr. Gregori Anderson said, yes, good morning. At the request of the Commission last year when you originally requested we go inside this building and make the inspection, we did do that in October 22<sup>nd</sup> of last year. We also took the County Health Department with us, and I went on that inspection myself personally as well as with one of my staff members and staff from the Health Department and, as has been identified here, that was our first opportunity to go inside the structure. We did go inside and we did inspect what we could inspect based on what was already there. Obviously, walls were not open, we could not see wiring and plumbing inside the walls, but the dwelling appeared to be in compliance with the code. It's very well done and seemed to be structurally sound, very well appointed –, it's a nice single family one bedroom apartment is what it appeared to be. Commissioner Rayno asked, did you test for gas leaks? Mr. Anderson said, no, we did not. Commissioner Rayno asked, how come? Mr. Anderson said, that's something typically we do not do under these considerations when it's already built. Certainly if we were brought in at the time of construction, we would do the basic inspection process we normally do when it's under construction. In terms of when there's a gas leak on a structure that's already built, that's something that's done by the gas department. Just like if there was a gas leak at your house or my house, I'd call the gas company and they'd come out and test the line. Commissioner Rayno asked, did you test for ground fault interrupt circuits? Mr. Anderson said, we walked around and looked and, again, what we could see and, again, we couldn't see everything because, of course, it was closed up. There was no violation that we could determine at that time. Commissioner Rayno said, well, it's obvious the ground fault interrupt circuits would have a test reset thing in the bathroom. Were those located where they were supposed to be? Mr. Anderson said, that's one way you can do it. You can also do it from the panel box. Commissioner Rayno said, the panel box. Mr. Anderson said, that's correct. Commissioner Rayno asked, did you check those? Mr. Anderson said, yes, we did, and it appeared to be in compliance. Commissioner Rayno said, okay. Did they have a separate load center for that facility? Mr. Anderson said, I'll let Mr. Warren –. Mr. Warren said, here's a copy of that letter. Yes, there is. Commissioner Rayno asked, there's a separate meter for that? Mr. Warren said, yes. Commissioner Rayno said, that's in violation of the code for the County to have a separate meter for an accessory building. Mr. Anderson said, that's correct. Commissioner Rayno asked, did you know that, sir? Mr. Warren said, it's been like that since the property was built in 1984. Commissioner Rayno said, but it's in violation of the code. Mr. Warren said, no, I didn't know that.

Chairman Hair asked, that was prior to your owning it, was it not? Mr. Warren said, that was prior to me owning the property. Chairman Hair said, okay.

Commissioner Rayno said, the people that you got to sign the petition that are in favor of your mom living there, do they all have accessory dwellings on their properties? Mr. Warren said, no, they do not. Commissioner Rayno said, you said the gas meter was in place already although we have correspondence from Gregori Anderson stating that this gas meter was put in in January of 2001 and that's concurred by the gas company. Is their information false? Mr. Warren said, yes, it is. Commissioner Rayno asked, it is? The gas company did not put a meter in? Mr. Warren said, they did not. There was a meter there. They simply turned the gas on. Commissioner Rayno asked, Mr. Anderson –? Mr. Warren said, I can get a statement from the person from the gas company that turned it on. Commissioner Rayno said, according to your July 31, 2001, memo to Jonathan Hart and Russ Abolt, you state just the opposite. What's the truth?

Mr. Anderson said, well, the information that we got came from the records in the gas company because we have no way of knowing other than to contact them. So, if that information is erroneous, then it's erroneous from the gas company, but that's who we contacted. Commissioner Rayno said, okay. There'd be a way to check the records though. I'd like to hear comments from the Blackstons now please.

Chairman Hair said, well, we have some questions for Mr. Warren first. Let's finish --, we'll get to --. Everyone will have a chance to say whatever you need to say, I assure you. Commissioner Kicklighter and then Commissioner Odell. Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter asked, this is the pictures of the so-called shed? Mr. Warren said, yes, sir. Commissioner Kicklighter said, it's a beautiful brick home that's much nicer than the first house I owned, sir. It's --, so calling it a shed is a mistake right off the bat. Mr. Warren said, I can assure you that I would not put my mother in a shed. Commissioner Kicklighter said, no, and I wish the audience and the people at home and everyone could see this is a very nice brick home. Well, to your knowledge, sir, let me ask you this. Mr. Warren said, let me state for the record. I did make a misstatement when I come [sic] before the Commission the first time. I said that the guy who built the homes on the property and owned the property to start with lived in that small house for one year. That was erroneous. He lived in it for three years while he was building the other home. Commissioner Kicklighter said, okay. If I could finish, sir. To your knowledge, does any of your neighbors oppose your mother living here, other than the two people sitting behind you? Mr. Warren said, no, sir, and I've got a --, as a matter of fact, I've got a petition from I don't know how many --, 13, 14, 15 --, of my fairly close neighbors. Commissioner Kicklighter said, okay, so as far as you know, only two people oppose your mother living in this nice brick home behind your home. Mr. Warren said, that's correct. Commissioner Kicklighter asked, did you say that your mother now weighs 109 pounds and is 73 years old? Mr. Warren said, that's correct. And I've got a new letter from her --, she saw her physician yesterday. He was very concerned about her health. Commissioner Kicklighter said, okay. Mr. Warren said, I have not --, I have not brought letters from specialists she has seen for the simple reason that she's not seeing them anymore because there's really nothing they can do for her. Commissioner Kicklighter said, okay. Well, let me ask you this. Have you noticed any signs of your mother suffering from anything involving a possible gas leak in the home? Mr. Warren said, there is no gas leaks in the home. Commissioner Kicklighter said, okay. So she's pretty much --, as far as we know, she's been there for a while and has not passed away because of a gas leak. Mr. Warren said, everything --, every possible place in that home that there is gas going to was checked thoroughly by an employee of Savannah Gas Company. Commissioner Kicklighter said, sir, I just want to commend you at this time. The house is very well maintained. It's landscaped beautifully. I would not mind a structure like this sitting next to my current house. You do a good job. I admire you for taking care of your mother. At this time I will make a motion that we approve the continuance of the hardship case. Commissioner Rayno said, you should hear the Blackstons first.

Chairman Hair asked, do we have a second? We'll get the motion first. Commissioner Odell said, second. Chairman Hair said, we have a motion and a second. We're still going to get --. Okay, Commissioner Odell.

Commissioner Odell asked, Mr. Warren, is it? Mr. Warren said, yes, sir. Commissioner Odell said, in May of last year I had the opportunity to bring my mother from Tennessee to live with me because of ill health. She lived with me in my home and I understand what you're going through. I cannot understand why others would --, and I saw that house --, would disagree or how that would devalue their property or inconvenience them. I think what you're doing is compassionate. Unfortunately, the baby boomers are getting today where our parents are getting to the point that they are becoming disabled. I commend you for doing this. That's not a shed. Mr. Warren said, no, sir. Commissioner Odell said, that's nicer than the first house I ever owned. Commissioner Kicklighter said, me, too. Commissioner Odell said, the first house I owned was a trailer. Mr. Warren said, well, it's nicer than the first house I owned, too.

Chairman Hair said, okay, thank you, Mr. Warren. We'll hear from the Blackstons and then we have a motion and a second on the floor. We'll take that up after the Blackstons. Chairman Hair said, I need for you to state your names officially for the record. Mr. Blackston asked, excuse me? Chairman Hair said, I need you to state your name for the record please.

Mr. Blackston said, Ben Blackston and this is my wife, Tina. We've owned that property on Shipyard Road since 1978 when we started building our residence on it in '83. I would like for --, I admire Mr. Warren for, you know, taking care of his mother. We have no problem with the medical hardship. My dad's elderly now, he's having a lot of kidney trouble, and I'm going to look out after him. Chairman Hair asked, what is your problem then? Mr. Blackston said, our problem goes back before Mr. Warren owned the property, back when the house owned by Mr. Reed, when the house was built. The original house was a small house. See, I have a picture of it. It was the first house built on that property. Chairman Hair asked, so is your problem with the County? I mean, it seems to me --. Mr. Blackston said, well, the County --, the County Inspections Department, they didn't do their job to begin with. Chairman Hair asked, did I hear you correct to say you didn't have a problem with this hardship? Mr. Blackston said, not with the medical hardship. No, sir. I have a problem --. Chairman Hair said, well, that's all we're here to discuss today. Mr. Blackston said, with the house being used as a residence. Mrs. Blackston said, residence. We want a guarantee that this will not be used for a residence in the future. Mr. Blackston said, Mr. Anderson, I'd like you to stand up and speak please. I've got a couple of questions I'd like to ask you. Was this structure --, was it legally built as a residence in Chatham County? Chairman Hair said, speak into the microphone. We need this for the record please. Mr. Anderson said, this --, the original construction of this dates before my administration. We could not confirm that this was built as --, permitted as a residence. From our earlier records, which we do not have access to due to renewing of our database, this structure was permitted as a recreational building back in '84. Mr. Blackston said, I have a [inaudible] stating that that building permit was issued as a storage and recreational building, the back building by Mr. Reed and he had a building permit to build the two-story

main house on this property, and the first house that was built –, I have a photo here –, was that small house and it was built as a residence and used as a residence. Mr. Warren's mother is the third person that's lived in this house, and we've always fought it. The reason we have fought it is because this house is nine feet from our property line. It was built in his back yard with the kitchen, the bathroom, the dining room window nine feet from our property line, which is illegal in Chatham County.

Chairman Hair said, Mr. Blackston, let me see, I think I'm trying to –, trying to bring this –, you're certainly welcome to speak as long as you like, but the motion on the floor is only the medical hardship granting, okay. And that's the motion on the floor. I'm just wondering if your concerns could not be addressed outside of this motion, and we'll be glad to listen to any –. Mr. Blackston said, as far as the Chatham County ordinance, a permanent structure should not be allowed as a medical hardship in Chatham County. It's against the law in Chatham County. Chairman Hair said, what your wife stated, I believe, was that y'all would be happy if we'd get a letter stating that he wouldn't use it beyond that. I think Mr. Warren's already said he'd be glad to stipulate to that, he'd be glad to sign a statement to that effect, and I don't –. Mr. Blackston said, well, as far as the Chatham County ordinance, a permanent structure should not be allowed as a medical hardship in Chatham County. It's against the law in Chatham County. Chairman Hair said, well, what your wife stated, I believe was, that y'all would be happy if we'd get a letter stating that he wouldn't use it beyond that. I think Mr. Warren's already said he'd be glad to stipulate to that, he'd be glad to sign a statement to that effect, and I –. Mr. Blackston said, the reason there are no other neighbors are really complaining because these are big lots. They're three-quarter acre lots. No other neighbor is close to this residence. It's right on top of us. Mrs. Blackston said, it's in our back yard. Mr. Blackston said, it encroaches our privacy and if I go to sell, you know, our house, it's going to hurt our property value. That's what we're trying to protect. We've got nothing against the Warrens.

Chairman Hair said, we have a couple of questions from Commissioners. Commissioner Rivers and then Commissioner Kicklighter. Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, Billy [Hair], that was my question. You just mentioned it. If he's willing –, you said if he's willing to not use it beyond his mother's incapacity, then if he would sign a letter to that effect, then you would –. Mr. Blackston said, this house is –, the building permit was issued as a storage structure, but, you see, that was not the intent of Mr. Reed at all. This house was built as a residence and always used as a residence. Chairman Hair said, Mr. Blackston –. Mr. Blackston said, we have fought this for years with the Chatham County Inspections Department.

Chairman Hair said, I understand that, but I guess I'm trying to keep the conversation germane to this motion. Mr. Blackston said, you see, like I stated in the March motion, the reason the residents on the other side of Mr. Warren are not complaining, because they have built apartments in their back yard and they're renting them out right now. Two of his neighbors on the other side. Chairman Hair said, well, that's a separate issue though. Mr. Blackston said, I know it's a separate issue, but that's why they're not going to complain because they're breaking the law. Chairman Hair said, I would like for you to address your comments to the hardship issue. That's all that's before us today is the hardship issue. Mr. Blackston said, well, that's –. Right. Chairman Hair said, okay. Nothing else is before us. Mr. Blackston said, well, that is important because this structure has been used as a residence for –, ever since it was built and it was not supposed to be a residence. The building permit was issued for a storage/recreational building. Chairman Hair said, Commissioner Rivers, finish your question.

Commissioner Rivers said, it gets right back to the same thing that you said. Okay, if we're going to ameliorate this situation, you said you would agree that if he does not use it beyond the incapacity of his mother as a residence, and he so states and give us a letter to that effect, then would that be satis–, enough to satisfy you or –, what do you –, what do you really want? What outcome do you want to see from the total thing? Mr. Blackston said, what I would really like is I would like that building to be used as a storage building, what the original building permit stated. Let me ask you something. Mr. Hair, you have a fine home at Modena. Would you like your neighbors to build a residence nine feet from your property line at Modena?

Chairman Hair said, well, I'm going to tell you right now, I wouldn't mind that being next door to me. I really wouldn't. It's probably nicer than what I've got, you know. I wouldn't mind that at all.

Mr. Blackston said, you know, you have to –, each one of you on your house, you have to, you know, protect your property value. Mrs. Blackston said, put yourself in our shoes. Like I say, we're not against anything –, Mr. Warren. We know his mother is ill. This is not really what we're upset about. Mr. Blackston said, we're not upset about that. Mrs. Blackston said, we're upset about this continuing problem with us having to go through this every 10 years. Mr. Blackston said, with the residence nine feet from the line with, you know, the bathroom, kitchen and dining room window, you know, backed up to our fence. It's built too close to the property line in Chatham County. It should be ten feet. Is that correct, Mr. Anderson? Chairman Hair said, Mr. Blackston, nobody's –, no one disputes those facts. I mean, you're stating things that everybody will stipulate, but my point is the motion on the floor is the granting of the hardship only and that's what we're here to vote on today. We're not here to vote on whether it's nine feet –. Mr. Blackston said, the Commission already voted on that at the meeting in March. Chairman Hair said, well, we have a motion to reverse that. We have a motion today to grant the hardship. Okay? And that's what we're here to debate. Mr. Blackston said, see, I have nothing against the medical hardship. Chairman Hair said, well, that's what we're here to vote on today. Mr. Blackston said, well, you can vote on that and he can have a medical hardship, but it cannot be in a permanent building in Chatham County. It's against the law. Chairman Hair said, he's already –, sir, he's already agreed to do that. He's already agreed to give you what you want. He needs –, he's willing to give you –, and your wife said if we had a letter to the effect that it would not be used as a structure beyond the hardship, and you don't have a problem with it, that's –, we might as well vote. I mean, everybody's happy. Mr. Blackston said, it's not going to be –, what now? Mrs.

Blackston said, he can't hear very well. Mr. Blackston said, I'm sorry. I didn't --, my hearing is not real good. Chairman Hair said, let me see if I can restate it. Your main concern was that beyond the hardship that this not be used as a permanent structure. Is that correct? Mr. Blackston said, my main concern is that outside storage building being used as a residence. Chairman Hair said, well --. Mr. Blackston said, that is my wife and I's concern. Chairman Hair said, but that's --. Mr. Blackston said, which is this is the third --. Chairman Hair said, you're talking about something that happened in 1984 that I don't, you know, that --, way before Mr. Warren even owned the property. Mr. Blackston said, we have been fighting it for years. This is the third time.

Commissioner Rayno asked, Dr. Hair, why don't we just amend the motion to say that the building will be reverted to a storage facility after the hardship is over. Just amend the motion and it will be all taken care of and he'll be happy.

Chairman Hair said, let me recognize Commissioner Kicklighter, Commissioner Murray and Dr. Thomas.

Commissioner Kicklighter said, sir, so would you --, it's my understanding that, and maybe, sir, the County made mistakes in the past, didn't inspect it, or whatever, but today --. Mr. Blackston said, they allowed two residences on one R-1 lot. Mrs. Blackston said, R-1 lot. Mr. Blackston said, which is wrong. Commissioner Kicklighter said, the way I see that, and I acknowledge maybe they made a mistake in the past, and most of us was not here. The way I see is we have an opportunity to do the right thing for an ill 73-year-old woman right now, and from what I'm hearing from you is your thoughts is that it can't be in a permanent structure, which, you know, maybe that was the ordinance, but we have the ability to, you know, grant the hardship in a permanent structure if we so choose. So would you actually be happier if he was to drag up a trailer and stuck it beside your house because we could grant that? Mr. Blackston said, well, the reason for that ordinance in Chatham County is where it will not be easy --, once you have a structure like that, it's going to continue to be a residence. Commissioner Kicklighter said, well, what I'm saying --, what I'm saying is you could be barking up a tree that will wind up a lot different for you. We can grant this gentlemen --. Mr. Blackston said, well, after the medical hardship is over, it's easy to move a trailer. Commissioner Kicklighter said, permission to drive a trailer right up next to your home --. Mr. Blackston said, it's not going to be easy to move --, you can't move that house. Commissioner Kicklighter said, -- to take care of his ill mother. And that happens throughout counties and cities throughout the state. And I'll state this, and, sir, if this is a shed to you, I'd love to have a [inaudible] --. Mr. Blackston said, I did not --. Mrs. Blackston said, excuse me. We never said that. Mr. Blackston said, we haven't stated that. We've always stated that --. Commissioner Kicklighter said, [inaudible] shed, shed, shed. Mrs. Blackston said, no, sir. Mr. Blackston said, that was never stated by us. Commissioner Kicklighter said, this is a home. Mr. Blackston said, that's a beautiful home. Commissioner Kicklighter said, a beautiful home. Mr. Blackston said, a beautiful home, but it should not have been built --. Chairman Hair said, you did say you wanted it reverted to a shed. Mr. Blackston said, -- in the back yard of all one lot. Mrs. Blackston asked, excuse me? Chairman Hair asked, you did say you wanted it reverted to a storage shed. You did say that. Mrs. Blackston said, it could be made into a nice garage. Storage --. Mr. Blackston said, that's what it's supposed to be. Mrs. Blackston said, that's what it's supposed to be. According to the building --, it's not supposed to be a residence. Commissioner Kicklighter said, and you've stated in the past that this is going to sound very smart alecky, but I believe I know the answers to this. Does this 73-year-old woman play her music too loud at night and keep you up all night? Mr. Blackston said, no, not at all. Commissioner Kicklighter asked, does loud partying or something go on over there? Mr. Blackston said, I told you that we have no ill feelings toward the Warrens. Commissioner Kicklighter said, because I grant if I owned some property --, I own property, but I wouldn't want just a hundred people playing loud music in there. That's why we have zones to protect property value. Mr. Blackston said, that's exactly right. Commissioner Kicklighter said, but we're granting a structural --. Mr. Blackston said, and that's what we're trying to do, Mr. Kicklighter. We're trying to protect our privacy and our property values. Commissioner Kicklighter said, exactly. And if we were bringing --, if we were bringing the Commission to turn this into an apartment to rent to 100 people living people who are living there at one time, you're very justified in your concern. But what we're granting is permission for this man to take care of his ill mother, a 73-year-old mother, that's not going to be making noise, she's not going to deteriorate from your --, value of your home, and my guess would be that you would not even know that she's in there because she can't be making too much noise at 73 years old in there. And I, you know, I feel for her you, I truly do. I understand that you have some type of legitimate concerns --. Mr. Blackston said, well, this is the very property that's being used as a residence. Commissioner Kicklighter said, we --, it's my opinion and in the past, that's fine, whatever happened in the past --, again, the County may have been wrong, but we are not talking about the past now. We're talking about this man's ill 73-year-old mother. Period. I'm sorry that something happened in the past, but this is his mother that's ill, and that's all we can deal with right now is an ill woman, 73-years-old. We need to approve it, move on, and in the future if something else happens, come up and we'll [inaudible]. Mr. Blackston asked, what's going to stop this building from being used as a residence the fourth time? Commissioner Kicklighter said, because they would have to come before this Commission again and ask for another --. Mr. Blackston said, and we're going to --, we will have to keep coming up and keep fighting this issue --. Commissioner Kicklighter said, so I guess so and, you know, and compared to a man taking care of his dying mother, you know, that's not too much out of your life. This man's got to take every day of his life to look out for his mother, so for ten years you have to come back up here again compared to what this man's doing taking care of his mother, it's not asking much from you. Mr. Blackston said, of course, Chatham County allows --. Commissioner Kicklighter said, so I'd like to see us move on. Mr. Blackston said, well, I say I'm not against the Warrens.

Chairman Hair said, I'm going to recognize Commissioner Murray and then Dr. Thomas and after that Commissioner Rayno and then I think we're ready to vote.

Commissioner Murray said, I think we all agree that the house --. Mr. Blackston said, it's illegally built. Commissioner Murray said, -- let me finish. I'm not speaking against you, okay. Just let me finish what I'm saying or I might vote the other way. We're looking at a house or what should be an apartment or a storage shed, recreational facility or whatever

it was originally intended for when it was permitted to be built in '84 or whatever date that was it was built. We have an ordinance in place right now in Chatham County that states that you cannot have a separate electrical meter, so that was in violation when it was built –, when it was put in. I don't think we have the authority to approve something against one of our ordinances unless we amend that ordinance to do that, and our ordinance states that you cannot have an out parcel with separate power and everything going to it with a separate meter for a hardship. The man is exactly right. Whereas, I think the person probably should be able to stay there based on all the circumstances from the history of the construction of that apartment until something does happen, whatever reason she leaves the facility, and then it diverts back to whatever it was supposed to be. But that –, I think that what we're looking at is we're looking at the mother, which I think we all should look at, and the care that she receives, but at the same time we have specific ordinances in place in Chatham County. Now if this is approved, there's one that I've already talked to the County Attorney about on Wilmington Island off of Penn Waller Road that a lady has called me about the same type circumstances, and she wants to be able to put power and fix it so her mother can stay there and she can take care of her in an out parcel that's already built there and she'd just have to finish the improvements to it. We are telling her she cannot do that because of our ordinances. Now if we can't do it down there, how can we do it in the one here? And if this one is approved, I'm going to tell you, I'm bringing the other one back and it will be approved. So I think what we're looking at is not so much –, what we as a Commission are looking at right now is Mr. Warren's mother and instead of the ordinances that we have in place right now in Chatham County. Now if we continue to come up here and vote and continue to change these every time a situation comes up without changing the ordinances, then we've got some serious problems, and how are we going to stop the others from doing the same thing? Can you answer that question? From a legal standpoint, as long as they're in place, can we grant something like that? County Attorney Hart said, this is the situation you're in. When this issue first came up way back when, when it was granted a medical hardship, staff told you that under our current then existing ordinance that you could not have a permanent structure or a dwelling in a R-1 zone and use that as a separate use. At that time there was discussion about, well, could you drag a trailer up there, similar to what Commissioner Kicklighter said, and we said, yes, sir, you sure could because that's a temporary structure and at the end of the medical hardship that temporary facility could be removed. Based on the then occurring ordinance, staff recommended the denial of this medical hardship use. This Commission voted eight to one to grant the medical hardship use on this facility. Now, Commissioner Murray's probably most familiar with this situation because out on his district in Wilmington Island you have an abundance of what I call creeping uses in which things start out as a recreational use and then goes to a garage and then goes to a game room and then goes to an office and then goes into a mother-in-law suite. If you go out to Wilmington Island, you can find them all over the place. The reason for that is very simple. Back in the 50's and 60's and 70's that portion of our Zoning Code was not consistently enforced. When Mr. Anderson became Director, we have tried to be pretty consistent about that and we have seen a lot less of those and we have denied those. But this Commission does have broad discretion in the granting of a medical hardship. If someone were to legally challenge us under that ordinance, we might be in a very difficult situation to defend that situation. However, what I am hearing here is the property owner saying simply this, "I want to use that building currently for my mother's situation and I do not intend to keep it in regard to any other use as a facility." If that is acceptable to these people, then the Commission could continue to grant the hardship and if it is not challenged, it would stand as done. If there were a change in ownership or if there were a change where the mother no longer occupied the situation and somebody else went in there as a tenant, for example, then I think it would be in clear violation of the Zoning Ordinance and would be subject to an enforcement action either by the Zoning Administrator or this Commission as directed to the County Attorney's office.

Chairman Hair said, Dr. Thomas and then I'm going to recognize Commissioner Rayno. And then I'm ready to vote on the motion.

Commissioner Thomas said, yes, I am too. I just have one question for the couple here. I'm sorry, I can't remember your name. Chairman Hair said, Blackston. Commissioner Thomas said, thank you. There were several questions asked of you whether you would be in agreement if permission is granted on the basis of his mother's tenure in this particular building at this time and, thereafter, should she pass –, that it would be discontinued, you know, in use as that type of building, but you didn't ever say whether you were in agreement with that or not. That's what I would like to know. You said you're not –, you don't have anything against the Warrens, but you never did say –. Mr. Blackston said, nothing at all against the Warrens. Commissioner Thomas said, – you never did say whether you would be in agreement to grant this while this lady, you know, was in there and, should she pass, that he would give a statement right now, or whatever, stating that this will never ever be used in this regard. Would you be willing to –. Mr. Blackston said, that couldn't come from Mr. Warren. If it's going to never be, ever be used as a residence again –. Commissioner Thomas said, right. Mr. Blackston said, – it should come from the Commission. I need –, we need something from Chatham County –. Mrs. Blackston said, some kind of guarantee –. Commissioner Thomas said, I'm understanding, but what I'm saying –. Mr. Blackston said, a guarantee from Chatham County that says that that will, after Mrs. Warren ceases to live there, that it will never be used as a residence again. Commissioner Thomas said, all right, well, that's fine. Mr. Blackston said, it will be used what the building permit –. Commissioner Thomas said, that's exactly what I'm saying, but I'm asking you –. Chairman Hair said, that's a separate issue, Mr. Blackston. Commissioner Thomas said, I'm asking you –, I'm asking you will you be willing to accept that? Mr. Blackston said, not from Mr. Warren. I will accept something from Chatham County. Commissioner Thomas said, in other words, you just –, you just want the lady out, you want her out no matter what. Mr. Blackston said, if Mr. Warren moves or if someone else buys the house, it'll be a residence again. Commissioner Thomas asked, so what do you suggest be done –? Mr. Blackston said, that if Chatham County –. Commissioner Thomas said, no, what do you suggest be done with his mother at this point since you don't want to agree –? Mr. Blackston said, if my father was sick, I'd move him right into my house now. I mean, that's beside the point. Commissioner Thomas asked, do you have –, do your parents live with you or outside of your home? Mr. Blackston said, no, my dad lives down the street. He does not live with me now, no. Commissioner Thomas said, well, I hope you don't get old.

Chairman Hair said, I'm going to call on Commissioner Rayno to amend his motion. Excuse me, I'm sorry. Commissioner Kicklighter to amend his motion and then –. Commissioner Kicklighter said, thank you, sir. I'd like to amend my motion to allow the hardship to continue until August of 2003. Chairman Hair asked, okay. Does your second accept that? Commissioner Odell said, second. Chairman Hair said, all right, let's vote on the motion and then I'm going to call on Commissioner Rayno. All those in favor of the motion –.

Commissioner Murray said, let me ask –. Why is it being set at 2003? Commissioner Kicklighter said, because it was slated to come up again in August of 2002, so we would have to revisit this in a month in a half anyhow. Commissioner Murray said, well, regardless of the way the motion is amended, I'm going to vote against it for one reason. It is in direct conflict with our County Zoning Ordinances that have not been amended. Commissioner Kicklighter said, we're going to take care of that. Commissioner Murray said, what it's doing is it's opening up the door for any area anywhere in the unincorporated area to do the same thing.

Commissioner Rayno said, I'll be voting against it for the same exact reason, but I'm tempted to lean towards Mr. Warren now and sympathize with him, but this thing was so bungled by the bureaucracy of the County by an Inspections Department that didn't do its job properly, that gave us false information prior to this thing coming up before us and, Mr. Warren, I'd just like to apologize to you for giving you such a grilling based on the misinformation that I was given.

Chairman Hair said, all those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Odell, Kicklighter and Thomas voted in favor of the motion. Commissioners Rayno, Murray and Gellatly voted in opposition. The motion carried by a vote of five to three. [NOTE: Commissioner McMasters was not present. Chairman Hair said, the motion passes.

Mrs. Blackston said, if I could have a moment just to say one thing. Chairman Hair said, certainly. Mrs. Blackston said, some of you seem to think that we're the bad guys in this situation, and that is not the case at all. We all love our parents, we would all take care of them in any way that we could, and if I had to go against the County and build in my back yard, I wonder what would happen. Would someone call and try to stop me from doing that? Yes, you can bet your bottom dollar they would. Mrs. Warren is a very nice person I assume. I do not know her very well, but I hope that we can in the future have some recourse if this continues to happen.

Chairman Hair said, thank you. All right. Commissioner –, I'll let –, Commissioner Kicklighter wants to make another motion. Commissioner Kicklighter said, Mr. Chairman, I'd like to make a motion to amend the medical hardship ordinance. The amendment I'd like to see give the County Commission the ability to approve cases on a case-by-case basis whether the structure be permanent or temporary. Commissioner Odell said, second. Chairman Hair said, second to that motion, and this is –, it would have to go through the ordinance process of first and second reading.

County Attorney Hart said, yes, sir. We –, that was –, we just went back and the MPC studied that issue and made a recommendation not to amend the ordinance in that method and the reason –. Chairman Hair said, well, we still can amend it if we want to. County Attorney Hart said, but if y'all choose to, you can do it. The only issue that becomes an issue there is you've got R-1 zoning across the countywide basis, okay, and you're opening up the door in subdivisions for an abundance of accessory use buildings in an R-1 zoning classification which, in effect, creates dual occupancy situations in R-1 zones. Chairman Hair said, Mr. Hart, only if this Commission approves it. County Attorney Hart said, correct. We will be glad to draw that.

Chairman Hair said, okay, we have a motion and a second –. Commissioner Kicklighter said, and I want to clarify on that motion also that that's with the understand that they would have to come up in front of this Commission –. Chairman Hair said, exactly. Commissioner Kicklighter said, and show us a picture of a beautiful home basically that they needed a loved one to stay in. You know, I cannot imagine this body allowing someone to stay in a little outhouse shed. So this just makes our previous decision legal because of this and, you know, none of us are going to go on a rampage allowing people to just move in and creating apartments. Hopefully, we're intelligent enough to take cases, like I said, case by case and use our heads and make the right decision on this. Commissioner Rayno asked, so why did you vote against that very ordinance two weeks ago –, four weeks ago? Commissioner Rivers said, Mr. Chairman, let me ask –. Chairman Hair said, I'm going to recognize Commissioner Murray first and then Commissioner Rivers because he already –. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I understand what Commissioner Kicklighter is saying and I respect his feelings on this. I think that we are making a drastic mistake for this County to amend an ordinance in that manner. There are too many places already throughout Chatham County that are being used illegal. I don't know why we have to approve an ordinance or amend an ordinance to do it when the vote was just approved to do it anyway. You know, and if it runs out on the third and hopefully his mother will still be around on August the 3<sup>rd</sup> of 2003, and I'm certainly not against you as a parent –, as a child taking care of your parents. I think we all have to do that. We all have to take care of our family. I had my wife's aunt live with us and she died when she was 93, so I understand what you're going through. I was not voting against you as an individual on what's happening. I'm voting against something that pertains to our ordinances and what we do, and I see the potential of this ordinance just exploding and going through Chatham County. And we –, I think what we've just done today is we've opened it up for anybody to bring that same type thing up to us right now and, quite frankly, I think that we would have to agree with them. Mr. Warren asked, can I be recognized. Commissioner Murray said, that's up to him. Chairman Hair said, yes, sir, Mr. Warren.

Mr. Warren said, first, I'd like to thank the Commission for granting the medical hardship for 2003, but to address what you just said, it comes to a point where common sense needs to prevail in cases like this, and if y'all amend this

ordinance, there is no way it's going to be an exploding thing if somebody has to prove their case before this Commission. I mean, that just –, it can't happen. Commissioner Murray said, well, I respect what you're saying and I tend to disagree with you because I've seen it happen and I've seen it happen before.

Chairman Hair said, also I want to remind the Commissioners that what we were voting on –, he's just –, the motion –, we're not approving the ordinance today. All we're saying is to draft an ordinance and that will have to go through the entire first reading, second reading process so there will be plenty of time for debate. Commissioner Murray said, we just finished doing that. We just had one brought to us on this same thing –. Commissioner Rayno said, yes, four weeks ago we all voted against it. Commissioner Murray said, involving the same situation, and we voted it down. Commissioner Kicklighter said, that was before we heard that it was illegal to grant –. Chairman Hair said, Commissioner Rivers and then –, I'm sorry. Let's –, Commissioner Rivers.

Commissioner Rivers said, you know, let me say this. You know, most of this that's happening is happening in the unincorporated area and Frank [Murray] has the largest part of the unincorporated area. There are –, how many of those people out there want to build another dwelling? Commissioner Murray said, I've already been through –. Commissioner Rivers asked, and how people that would have the same problem that –, what's your name, sir –? Mr. Blackston said, Blackston. Commissioner Rivers said, – that they have. We don't know, so here we are arbitrarily changing the rules. Jon [Hart], can we do waivers on –, in our presence ordinance now? Chairman Hair said, not for permanent you can't. County Attorney Hart said, in a permanent structure –. Commissioner Rivers said, I'm just asking the question. County Attorney Hart said, in a permanent structure the ordinance does not provide for doing it. Commissioner Rivers said, well, a permanent structure it should –, should not be. I don't think we should allow it anybody to build a permanent structure. Temporary structure, yes. Commissioner Kicklighter said, I didn't say build. I said to grant permission, whether the structure be –.

Chairman Hair said, all right. We have a motion and a second on the floor. Any further discussion? All those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Odell and Kicklighter voted in favor of the motion. Commissioners Rayno, Rivers, Murray, Gellatly and Thomas voted in opposition. The motion failed by a vote of five to three. [NOTE: Commissioner McMasters was not present.] Chairman Hair said, the motion fails.

Commissioner Rayno asked can I please –. Chairman Hair said, certainly, Commissioner Rayno. Commissioner Rayno said, again, Mr. Warren, I apologize to you based on the misinformation I was given, and I am very disappointed with Inspections for their fumbings on this particular issue, and you were told here today Inspections and Tax Assessor that there are people in that neighborhood who have rental properties who may not be legal, and I would hope that you would leave here today with that in mind to go inspect those properties and see if they are indeed illegally renting out property and if you're not approaching that with an income approach or whatever you do when we go to assess them.

Chairman Hair said, I'm going to recognize Commissioner Gellatly and then let's vote on it please.

Commissioner Gellatly said, I just want to make a comment. Number one, I certainly understand a son's responsibility to take care of his mother, but I think that the reason that I voted against this issue was just simply a matter of law. There was a lot of discussion up here as to whether it was a beautiful building or not, but the fact of the matter it was built for a shed and it's nine feet from another person's property line, and I'm just opposed to making an exception like that. I'm just afraid that that's something that could continue all over this County. We have a law and I think it should be enforced. I just wanted to explain my position.

Chairman Hair said, thank you, Commissioner Gellatly. Commissioner Murray and then we'll take a recess.

Commissioner Murray said, to follow up on what Commissioner Rayno just asked of Inspections, and I'm going to ask the County Attorney, if in fact there are people renting out illegal apartments in that neighborhood and they go out and find that, can you tell me the process? Will they be made to move out or do we have to go to Recorder's Court and do the same fiasco we're going through on Wilmington Island right now? County Attorney Hart said, we can –. Commissioner Murray said, because if you have to do that, it's not worth the process. County Attorney Hart said, we can ask them to vacate the premises and put it back into a use that's within an R-1 zone. If they fail to do that, we're going to have to go in and enforce the Zoning Ordinance and we'd have to do that through a court. Commissioner Murray said, okay. Good luck. Good luck, Jeff [Rayno]. It doesn't work.

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

1. Commissioner Rayno moved to untable this item and place it before the Commissioners for consideration. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner McMasters was not present.]
2. Commissioner Kicklighter moved that the Board approve the continuance of the hardship case until August of 2003. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Rivers, Odell, Kicklighter and Thomas voted in favor of the motion. Commissioners Rayno, Murray and Gellatly voted in opposition. The motion carried by a vote of five to three. [NOTE: Commissioner McMasters was not present.]
3. Commissioner Kicklighter moved to amend the medical hardship ordinance. The amendment I'd like to see give the County Commission the ability to approve cases on a case-by-case basis whether the structure be permanent or temporary. Commissioner Odell said, second. Chairman Hair and Commissioners Odell and Kicklighter voted

in favor of the motion. Commissioners Rayno, Rivers, Murray, Gellatly and Thomas voted in opposition. The motion failed by a vote of five to three. [NOTE: Commissioner McMasters was not present.]

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- \* 2. **REQUEST BOARD APPROVAL TO PROCEED WITH A “REQUEST FOR INTEREST” IN SELECTING A PRIVATE DEVELOPER TO CONSTRUCT AND OPERATE A YACHT BASIN WITHIN SLIP 1 ON HUTCHINSON ISLAND AND UPDATE THE BOARD ON THE STATUS OF ARCHAEOLOGICAL FINDINGS THAT COULD POSSIBLY DELAY THE PROJECT.**  
! Tabled at meeting of May 24, 2002.

Chairman Hair said, I need a motion to take it off the table. Commissioner Rivers said, so moved. Chairman Hair asked, second? Commissioner Rayno said, second. Chairman Hair said, all those in favor of the motion vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]

Chairman Hair said, I think we pretty much understand this issue. Mr. Abolt, do you want to add anything to this issue? County Manager Abolt said, no, sir. Chairman Hair said, this is the RIF's for the river front. County Manager Abolt said, no. I've got Mr. Monahan coming if there are specific questions. Chairman Hair said, I would certainly hope that we would approve this today. All we're doing is just looking at it. We're not spending any money. We're not, you know, we're just saying what's out there. It could be that it's something that would raise a lot of money for Chatham County. Until we do that we don't know that, so I think this –, I would certainly hope we would approve it. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Pat [Monahan], if I understand this correctly, in other words, you're going out and see if there's interest from the private sector to come in and lease that area to set up a community or a private type yacht basin or marina. Is that correct? Mr. Monahan said, yes, sir. In fact, two local groups have already expressed an interest, but we cannot even begin anything more than general discussions until this Board gives us –, gives staff the direction to proceed with the project. Now, it will come back at the point that the staff works out some details. The staff will come back and then present it formally to the County Commission, but this is –, there's no need to go along this path unless the Board concurs. Commissioner Murray said, I think it's a great idea. I know there's some people in the audience that have been discussing the same thing in the past that feel like it's a good idea, but I guess it's probably too early, but I'm going to ask the question anyway. If we come up with an agreement, is the County going to be responsible for the bulkheads and doing anything in that slip or will the private group be responsible for doing that? Mr. Monahan said, once the County develops the Riverwalk extension, that will include the sheet pile system and then the private developer will fund wholly unto itself all the docks that attach to the sheet pile system. All they're –, all the private developer will be doing is asking the right to attach to those bulkheads for its floating docks, not unless for example the Westin. The Westin developed its own docks, paid for its own docks and then attached to that frontage along the Savannah River. Commissioner Murray said, and at that point we would enter into a long term agreement with that group. Mr. Monahan said, yes. Commissioner Murray said, okay. I don't have any problem with it.

Chairman Hair said, plus they'd also cover all the costs –. Mr. Monahan said, the ground –, the ground lease itself will make the private developer solely responsible for all those costs. Chairman Hair said, right, including the dredging and everything else. I'll entertain a motion to approve. Commissioner Murray said, so moved. Chairman Hair asked, second? Commissioner Rivers said, we already did that. Chairman Hair asked, you seconded it? Commissioner Rivers said, no, we already –, we already had a motion. The Clerk said, no, we only untabled it. Chairman Hair said, no, we did not. Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The Clerk asked, did we have a second to that? Commissioner Thomas said, I seconded it. The Clerk said, thank you. Chairman Hair and Commissioners Rivers, Murray, Thomas voted in favor of the motion. Commissioners Rayno, Gellatly and Kicklighter voted in opposition. The motion carried by a vote of four to three. [NOTE: Commissioners McMasters and Odell were not present.] Chairman Hair said, the motion passes.

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

1. Commissioner Rivers moved to untable this item and place it before the Commissioners for consideration. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]
2. Commissioner Murray moved to direct staff to proceed with a “Request for Interest” in selecting a private developer to construct and operate a yacht basin within Slip 1 on Hutchinson Island. Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Rivers, Murray, Thomas voted in favor of the motion. Commissioners Rayno, Gellatly and Kicklighter voted in opposition. The motion carried by a vote of four to three. [NOTE: Commissioners McMasters and Odell were not present.]

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- \* 3. **REQUEST BOARD APPROVAL FOR PLANS OF ACTION TO RESOLVE THE PROBLEM OF PROPERTY OWNERS WHO HAVE NOT CONNECTED INTO THE ISLE OF HOPE SANITARY SEWER SYSTEM AND DELINQUENT SEWER-ONLY ACCOUNTS.**  
! At meeting of May 10, 2002, item was tabled to meeting of June 14, 2002.  
[Districts 1, 3 and 4.]

Chairman Hair asked, we need a motion to take it off the table. Commissioner Murray asked, have we got any information, Jon [Hart] –, before we take it off the table –, has there been any information come back on how –? County Attorney Hart said, yes, there's a couple of things you can do. Chairman Hair said, well, let's take it off the table before discussion. Commissioner Murray said, I so move. Commissioner Rayno said, second. Chairman Hair said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.] Chairman Hair said, the motion passes. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, no, I was just asking Jon [Hart] –. Chairman Hair recognized County Attorney Hart.

County Attorney Hart said, there's a couple of things I got asked last time. One was whether you can create some type of special service district. I think Commissioner Murray raised that for purposes of financing. Yes, you could in a theory, but most of the time that we've ever done that, that has been to finance some major project, and this project has already been done and complete, so I really don't think it gets us anywhere. There are two ways that we could go about collecting back due expenses. One would be to file a lien against the property and that would be the administratively and legally cost wise would probably be the easiest to do because you just draw the legal description, put the lien on there, file it of record. The down side to doing that is, other than the stigma of having a lien on your property, it does not require the homeowner to do anything immediately. However, if at some point in the future they either refinance their house, go get one of these consumer credit, you know, advances like a money cash, money lending thing, or they sell their house, in the process of refinancing that, that's going to require that the lien be removed through the title. So the lien might sit there for a year, two years, three years, but at some point a day of reckoning is coming and while that lien is sitting there, it's accumulating interest. The second alternative that you can do is place the people on notice that they are in fact in arrears, they need to work out either a payment plan or pay up the whole thing, and if they don't, you can take them to Recorder's Court, or Magistrate's Court for that matter, and obtain a judgment against them for the cost of the services that they have not paid. Then, depending on how aggressive you wish to go, once you have a judgment, if necessary you can garnish them to get the payment. And really we just sort of need to know from those two standpoints where to go. There's not a lot else that the County can do for these people. We put the water and sewer to the water line, we stubbed it out. There's one or two situations out of all of these that we probably would not make them tie in because of the cost involved with it and some engineering problems, which I think are very legitimate to their particular needs. But all we're really asking to do is to pay the tap-in fee and to run their plumbing from their house to their property line to tie in, and that is their expense. We don't do that for anybody in the County.

Commissioner Murray said, well, when this first came up and we voted to do this, and as a matter of fact, if I'm not mistaken, the streets we're talking about are the ones we had a petition on to do one –. County Attorney Hart said, that's correct. Commissioner Murray said, which has been a number of years ago. I was of the understanding then that they would only have to tie into this when they had a problem. Now if you've got a drain field and a septic tank, sooner or later you're going to have problems with it. County Attorney Hart said, correct. Commissioner Murray said, and that when they had a problem, they would not be able to bring somebody out and put a new drain field down or things like that, but they would have to tie into it at that point. If I was given the wrong information, then I was given the wrong information, but that's the way I understood it back then and I think a lot of the citizens out there understood it that way too because I talked with quite a few of them and that's what I told them. If I'm wrong, I'll just have to go back and change it, but –. County Attorney Hart said, well, if –. Commissioner Murray said, but my point is that if that's the case, then we just put something out that no permits will be issued for any of the companies to go in and put drain fields in or any work on the septic tanks and drain fields. At that point they would have to tie in and they would have to work out some arrangement, if they don't do it ahead of time, to finance and pay for it. County Attorney Hart said, yes, sir, we could go about doing that. A couple of comments. It's difficult to go back and trace, you know, who said what to what because –. Commissioner Murray said, well, I understand that. County Attorney Hart said, – it predated me and it predated most of the people on the Commission and, to be quite honest with you, our minutes are not as good as Ms. Sybil does back then. Commissioner Murray said, well, I understand that. County Attorney Hart said, what I'm seeing out there now is not so much going in and redoing the drain fields, but I am seeing routine maintenance to maintain the facility. Now we really don't have a mechanism by which we can stop them from calling Roto-Rooter or somebody private because we have no triggering device, but if they do come out to us now and ask us, oh, we want to dig it up and put a new one in –. Commissioner Murray asked, well, they have to have a permit to do that, don't they? County Attorney Hart said, a permit triggers it and we will make them tie in. Commissioner Murray asked, is that an option? County Attorney Hart said, yes, and the –, but that does not –, that's one-half of the problem. Commissioner Murray said, okay. County Attorney Hart said, the other half of the problem is that we have some people who are tied in and are just not paying. Period. Commissioner Murray said, well, that's a different situation altogether.

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, it's not half of the issue, it's two separate issues. You've got some people who are being penalized simply because they've lived there and had a septic tank and had a water system and typically –. Frank [Murray], I'm just going to make a –, I just hope you listen since it's your district. Commissioner Murray said, I'm listening. Go ahead. Commissioner Rayno said, okay. But in other municipalities they're doing what Frank [Murray]

says that they would grandfather them in, like if the property sold they would require the new owners of the home to tie into the system and pay all the associated costs. And again, I agree as long as the leach field is working and it's still perking fine, they should be allowed to keep what they have rather than force an expense upon them. That's like putting a very undue burden upon a homeowner.

Chairman Hair said, I'm not sure that we can legally require a new owner to do it. Now I don't know how you would enforce that because the new owner's not going to know that stipulation is there when they buy the house. I don't know how you would –, Mr. Hart, our resident barrister, could probably tell us how to do it, but I don't know how you could –, I understand what you're trying to accomplish, Commissioner Rayno, I'm just not sure that you could legally force a new owner –. Commissioner Rayno said, they do it other municipalities all the time. They grandfather –. Chairman Hair said, well –. Commissioner Rayno said, and then when the owners come in, they have to tie into the city water system. Commissioner Murray said, I wish I had my well back. Chairman Hair said, I could see new construction doing it, but I don't know about buying an existing structure. I mean, certainly you could require a new structure to be part of the permitting process, but, you know, if it's a home that's already been there for 30 years and I buy a 30-year-old home, how am I going to know or how's the closing lawyer going to know that that requirement's there? Commissioner Murray said, well, I do feel like though that we can set it up to where they have to put in new drain fields that now they have to come for a permit, then that could be denied and they could made to tie [inaudible] and finance it for that matter.

Commissioner Rayno asked, could we apply a lien to the property so that when it's time for the sale of the property that lien would come up in the search and then –? County Attorney Hart said, well, if we go ahead and file the lien, typically speaking, anytime there is a resale of the property, somebody's going to have to get title insurance and you go through that and that'll trigger it automatically. Commissioner Rayno said, that's how you could know that they have to do that.

Commissioner Murray said, that's the only problem I have with filing liens. It'll go against those property owners though and I don't want to see that happen. I do feel like they're two separate issues though. Those people that are tapped in and just aren't paying their bill, they need to be dealt with. The ones I'm talking about are those that have not tapped in yet. County Attorney Hart said, well, Commissioner Rayno has said, and what I'm hearing from Commissioner Murray is, that if you've got a septic tank system that's working, and most of them out there right now I would suspect probably are working okay because we haven't had a lot of rain –. Commissioner Murray said, [inaudible] because they haven't had any rain. County Attorney Hart said, we get a good rainy season out there, that's going to be grounds and we're going to have people complaining all over the place, which is why we did this thing in the first place. You could pass an ordinance requiring them on resale, if public water is available, to tie in. Technically, that's probably already in effect now to the existing owner. You could then place the existing owner on notice through some type of letter advising them of that. Should they fail to disclose that as part of the sale to any prospective purchaser, the prospective purchaser would obviously have to abide by the ordinance and tie in, but that prospective purchaser would have a claim back and against the former seller. Now that's not something the County needs to be involved in because that's a contractual dispute and a disclosure dispute between those two parties, but a person selling their house has an obligation to disclose material facts which a reasonable purchaser would want to know about and for which they do have knowledge.

Chairman Hair said, before I recognize Commissioner Kicklighter, I want to ask Mr. Abolt a question. County Manager Abolt said, yes, sir. Chairman Hair asked, why have these people been allowed to continue to get service and not pay their bill every month? I mean, is that –, what makes me nervous is how many people all over the County are doing that? I mean, I know I get my bill every month and I expect –, y'all expect me to pay it every month or you'll turn my water off. County Manager Abolt said, there you go, sir. That's the answer right there. We have certain situations like this, and remember we are not a big utility company. We're providing sewer lines, as Commissioner Murray recounted. We are not providing water service. Typically, the utility provides both water and sewer and, typically, if you don't pay your sewer bill, guess what happens. The water is disconnected. We can't do that, and that's why in desperation we've come forward. You had a gentlemen, remember, not too long ago that came before you and was somewhat proud of the fact that he had not paid his sewer bill. We have nothing that instantly can create religion, and so that's why in the second part of the agenda we're talking about taking some legal steps. Chairman Hair said, I don't know why we couldn't attach a lien. County Attorney Hart said, you could put the lien on it. Chairman Hair asked, why haven't we done that? County Attorney Hart said, because we're asking whether to go to court or whether to apply the lien. I just need some direction, whether y'all want to go the lien route or whether y'all want us to go to court and try to do something about it.

Commissioner Murray asked, are they giving any reason why they haven't paid the bill? Has anybody said or do they just refuse to pay it? Since they tapped in and they're using the service –. County Manager Abolt said, yes, sir. Again, I'm only using this as an example. Remember the one gentleman many weeks or many months ago in effect was an issue about drainage, and he felt he could leverage, "well, until the County does this for me, I'm not going to pay my sewer bill." Chairman Hair said, right. County Manager Abolt said, that's not negotiable. Commissioner Murray said, well, the only problem I have with taking it to court, and you said you have to go to Recorder's Court, it depends on what pro tem handles it, whether they're going to sleep through the testimony or not. We just went through that.

Chairman Hair said, I'll move on. Chairman Hair recognized Commissioner Kicklighter. Commissioner Murray said, and the pro tem can call me to court if he wants to. I'll tell him to his face the same thing. Chairman Hair recognized Commissioner Kicklighter. Commissioner Kicklighter said, thank you. Chairman Hair said, I hope you don't get caught speeding today on your way home. I hope you don't have to go to Recorder's Court any time soon.

Commissioner Kicklighter said, Russ [Abolt], I don't want an exact number, but how much did it cost us to run the sewage [sic] system out there? Just give a –. County Manager Abolt said, I'd have to defer to Mr. Drewry –. Commis-

sioner Kicklighter said, – ballpark figure. County Manager Abolt said, – if he has that number. Mr. Robert Drewry said, unfortunately I don't have that information. County Manager Abolt said, we'll get it for you, sir. Mr. Drewry said, let me see. Oh, excuse me, it is in here. Over \$2 million. Commissioner Kicklighter said, okay. In the municipalities, you're right what you said earlier. If this Commission –, not this one –, previous Commissions laying \$2 million worth of sewage [sic] out in an area and told them that they could just tap in whenever, whenever something broke, then that is one great sign of why we're so broke today. You run infrastructure out, you give them a certain amount of time to tap in because you have to recoup the cost, and period. And \$2 million you have to tap them in and charge them. Like, I'm sure plenty of them wanted that service is why this Commission decided to spend the money or the previous Commission decided to spend that money, so, you know, I say let's send them a letter, you know, I'm sorry, but I know that in the past you can't –, a previous Commission cannot bind future Commissions to anything –, send them a letter giving them X-amount of time to get tapped in because –, and you put on there we invested \$2 million to get this service to that area, and should they not tap in within that amount of time, we will put a lien against the property because it's things like that where a few are costing the taxpayers throughout the entire County higher taxes, and it's not –. Chairman Hair said, you need to make that in the form of a motion. Commissioner Kicklighter said, I'll put that in the form of a motion. Chairman Hair said, so staff can have direction. Second? Commissioner Thomas said, I'll second it. Commissioner Gellatly said, second. Commissioner Kicklighter said, and specifically we should give a time limit on this letter that they have –, what do you think? Three months to do tap in, six months? County Manager Abolt said, we say 90 days.

Commissioner Murray said, your motion is just addressing the tap-in? Commissioner Kicklighter said, yeah. Chairman Hair said, yeah, the tap-in. Commissioner Kicklighter said, let me clarify it then. Commissioner Rayno asked, what about the delinquent tappers? Commissioner Kicklighter said, my –, well, we'll do something separate on them, but my motion for tapping in is that we send a letter to the property owners that aren't tapped in giving them –, what, three months? Chairman Hair said, 90 days. Commissioner Kicklighter said, 90 days to contact the County and initiate –, they initiate the tap in and the payments that they can afford to pay, like you stated earlier. County Manager Abolt said, that's 6.A [of the staff report]. Commissioner Kicklighter said, and if –, right. And if within three months if they have not done so, we'll have to put a lien against their property.

Chairman Hair asked, does that motion have a second? Commissioner Thomas said, yes, I did. Commissioner Gellatly said, I seconded it. Chairman Hair asked, any further discussion? All those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Murray, Thomas voted in favor of the motion. Commissioners Rayno, Gellatly and Kicklighter voted in opposition. The motion carried by a vote of four to three. [NOTE: Commissioners McMasters and Odell were not present.] Chairman Hair said, the motion passes.

County Attorney Hart said, Mr. Chairman, I would like to add one point of information is that the tap-in fees go to the City of Savannah and –. Commissioner Murray said, that's why we're broke. They owe the City of Savannah, not us. Commissioner Kicklighter asked, how did that happen? County Attorney Hart said, because they run the sewer system. Commissioner Murray said, it's their water system, sewer system. County Attorney Hart said, the only point I'd say is we're very good about working out with people, you know, if they can't afford to pay something –, their payment schedule, but the City of Savannah may require a full payment before they're willing to do that. Chairman Hair said, okay.

Commissioner Kicklighter said, well, let me ask you this then. Do we have the right, because it's our system, to waive or completely reduce the tap-in fee to get them hooked up where we can receive the monthly –. Commissioner Murray said, there's Federal money involved in that. County Attorney Hart said, yeah. Not under the current agreement. Chairman Hair said, okay. County Attorney Hart said, that was done with the understanding that if we put in the system, the City would run it and the financing was based on the tap-in schedule. Commissioner Kicklighter asked, can we talk with the City –, instruct staff to talk with the City of Savannah about possibly reducing their fee?

Chairman Hair said, I don't think –. Commissioner Kicklighter said, I mean, we need them tapped in. Chairman Hair said, well, I think –. Commissioner Murray asked, how long have you dealt with the City of Savannah? Their water system? Chairman Hair said, let's try this first, Commissioner Kicklighter. If this doesn't work, we'll come back with Plan B, but this try this. Okay, it's time to move on.

Commissioner Rayno asked, what about the other [inaudible]. Commissioner Murray said, we've still got some other issues here that we haven't addressed. What's going to happen with the payment issues, those that have already tapped in?

Commissioner Kicklighter said, if they've tapped in and hadn't paid, we need to put a lien on their property. Chairman Hair said, I think that's fine. County Attorney Hart said, just tell me to do that.

Chairman Hair recognized Ms. Montine Earls.

Ms. Earls said, I'm Montine Earls, and I live in Georgetown. Chairman Hair said, put the mike down, Montine [Earls], please. Ms. Earls said, liens mean absolutely nothing. I can assure you we deal with this all the time. As long as that person owns that property, that lien is there. You will not get one cent. Now, but if you have a good attorney and you decide you want to sell, that attorney can get around the lien. Take my word on that. And then you're still not going to get a penny because it's gone. The best way to do is to go ahead and file suit. Notify them you're going to work a payment plan out with them. If not, then you notify them that you are going to file a suit against them. It will work, I guarantee.

County Manager Abolt said, if y'all just review for a moment page two of the staff report, Items B.1 and 2, we essentially are doing that. We're going one step further, but we would not do it without your concurrence because usually in our previous analogy of water and sewer service, we would like your approval to work with whomever the water company is to in effect say we've got problems, will you help us out. We can do all the legal things, but unless you fine it offensive, we would like to be able to contact the water -, whoever provides the water and say would you consider turning the water off?

Chairman Hair said, I think that's -, I don't think we need a motion for that. County Manager Abolt said, as long as -, you don't. I just want to make sure we're going to do it, it's okay with y'all. Chairman Hair said, yeah. Anybody have any objections to that? [NOTE: No objection were voiced by any Commissioner.] Commissioner Murray said, whatever is necessary to collect the back money owed on the services they've been receiving. County Manager Abolt said, thank you. Which includes hardship, too. Chairman Hair said, and, Sybil [Tillman], make sure the minutes reflect we had no objection to it. We didn't pass a motion, but it was a consensus opinion that we agree with staff.

**ACTION OF THE BOARD:**

1. Commissioner Murray moved to untable this item and place it before the Commissioners for consideration. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]
2. Commissioner Kicklighter moved that to resolve the problem of property owners who have not connected into the Isle of Hope Sanitary Sewer System that staff send a letter giving the property owners 90 days to connect with the sewer system or show proof of compliance with the requirements of Section 15-101(11)D, and further notify the property owners that if after 90 days a connection has not been made, proven and accepted, the County Attorney is directed to pursue administrative fines, unpaid fees, and process a lien against the property. Commissioners Gellatly and Thomas seconded the motion. Chairman Hair and Commissioners Rivers, Murray, Thomas voted in favor of the motion. Commissioners Rayno, Gellatly and Kicklighter voted in opposition. The motion carried by a vote of four to three. [NOTE: Commissioners McMasters and Odell were not present.]
3. The Commissioners by consensus agreed that staff may pursue whatever course is necessary on behalf of the County to collect back money owed from property owners for services received through their connection to the Isle of Hope Sanitary Sewer System.

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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 \$7,910 IN WEED AND SEED FUNDS, AN APPLICATION TO THE BUREAU OF JUSTICE ASSISTANCE, LOCAL LAW ENFORCEMENT BLOCK GRANTS PROGRAM, AND A SPECIAL SERVICE DISTRICT CONTINGENCY TRANSFER OF \$7,740 FOR A LOCAL CASH MATCH.**

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

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve the following: A Multiple Grand Fund budget amendment to recognize \$7,910 in Weed and Seed Funds, an application to the Bureau of Justice Assistance, Local Law Enforcement Block Grants Program, and a Special Service District contingency transfer of \$7,740 for a local cash match. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rayno, McMasters and Odell were not present.]

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- 2. REQUEST BY PETITIONER, SAVANNAH LAND COMPANY, ERNIE FRIEDMAN, FOR A REVISED GENERAL DEVELOPMENT PLAN FOR THE VILLAGE AT BULL RIVER DEVELOPMENT LOCATED ON EAST U.S. HIGHWAY 80 BETWEEN QUARTERMAN DRIVE AND JOHNNY MERCER BOULEVARD WITHIN A PUD-MXU (PLANNED UNIT DEVELOPMENT - MIXED USE) ZONING DISTRICT. See attached e-mail of 5/22/02 from Commissioner Murray and fax received 5/22/02 from the petitioner requesting item be removed from current agenda.**

**! Withdrawn from agenda at meeting of May 24, 2002.**

Chairman Hair said, I want to call on our MPC reps.

Ms. Charlotte Moore said, okay. The petitioner is requesting approval of an office complex located at Bull River Bridge, and there is an amendment that is being requested and previously there has been approved a fence, an eight-foot high masonry fence adjacent to the Marsh Harbor Subdivision. The petitioner is now requesting that the building, the two 12,000-square foot buildings, that that -, the buildings serve in place of the fence. What they'd like to do is have an eight-foot masonry fence between the buildings and along the parking lot and then along the Marsh Harbor Subdivision have a six-foot high chain link vinyl-coated fence. This would be an amendment to the original plan approved in 2000.

Chairman Hair said, and the reason the petitioner gave was? Ms. Moore said, I would have to defer to the petitioner. Chairman Hair recognized Mr. Jim Reed. Mr. Reed said, my name is Jim Reed. I'm one of the owners of the property. We moved the buildings back to rear of the property line in order to accommodate the saving of some trees in the parking area and, you know, we've got -, it's a heavily wooded lot. It's got some specimen trees on it. We were trying to have a little bit more open space and, you know, on the siding of the building -, the lot's a little irregular in shape. It's like wide at one end and gets real narrow at the other end, and we laid it out five, six, seven different ways, and that really was the best way for it to work. That's the reason we accepted it.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yeah, at the request of Mr. Reed I met with him and looked at the plans. I also rode over on Stephenson Avenue and looked at some other buildings that they had built that were similar to this. Have you resolved the difference, which is not our concern but yours, on whether it's going to be all glass or not all glass? Mr. Reed said, we actually met with the architect later that afternoon and I haven't resolved that totally, but it won't be all glass. There is going to be some masonry coming up from the bottom. It will be a little different than what you saw in the plans. There's going to be at least a two and a half foot tall masonry short wall instead of being an all glass wall. We haven't totally resolved the issue. Commissioner Murray said, there were several issues. One was this chain link fence that then goes out from those, I guess from those units, and goes back to the actual property line and down between the residences in the neighborhood and back over. Why was -, I'll ask this question to the MPC. Why was that changed and put in? Who recommended that going in, the chain link fence? Where did that come from? Ms. Moore said, [inaudible]. Mr. Reed said, I don't think so. I think that was left over [inaudible] a long time ago. Commissioner Kicklighter said, I can't hear you, sir. Ms. Moore said, well, we're both trying to discuss where that -. Commissioner Murray said, well, I was of the understanding the MPC wanted to have a chain link put in to go down the property line.

Ms. Moore said, well, I believe the chain link is to keep the residents out from Marsh Harbor. The children were passing through that wooded area. Commissioner Murray said, okay. The other questions that I asked Mr. Reed when we were discussing it, why couldn't he move the buildings in three or four feet. First of all, I don't think those buildings can be built right on that easement line. I don't know. Jon [Hart], can you answer that question? County Attorney Hart said, there's a conservation easement –. Commissioner Murray said, that's what I thought. County Attorney Hart said, – that runs behind this property and, you know, if the Commission decides to allow them to do what they're asking, that's fine, but they need to scoot their building at least several feet forward on the property so that they don't construct in the conservation easement. Commissioner Murray said, or encroach in that conservation area. County Attorney Hart said, yeah. I mean, because just in the course of general construction, you're going to end up being on that side, or else construct the fence first and build back from there.

Mr. Reed said, but that's typical –. Chairman Hair recognized Mr. Reed. Mr. Reed said, Commissioner Murray, we can scoot the building back a couple of feet. That's not a problem. The reason that we have shown it the way we've shown it is –, we discussed this when we met –, is that on the bottom floor of that building, if we build a masonry fence two feet away from the building, you know, effectively there will be no light in those, and that's going to be a really hard sell for us in order to lease those spaces or sell them. That's why we wanted to make the building itself part of that.

Commissioner Murray said, you and I discussed that, but also we discussed the fact you said that some of those units, the individuals would purchase them, some y'all would probably keep as rental units and –. Mr. Reed said, that's correct. Commissioner Murray said, – that type thing. So my question was at the time we met, even though you have no access out of the back of those buildings –. Mr. Reed said, that's correct. Commissioner Murray said, – and you would have glass in it for light, which makes sense, there's no access out there. What happens, what control do you have if an individual comes in and purchases one of those units and decides, well, a couple of years down the road I want to build one out so we'll have access out the back of this now? Mr. Reed said, I think we can restrict that. I mean, there is a property owners association. I mean, I think that we can place in writing to prevent them from creating access to the rear. Commissioner Murray said, and I told you –, I told you when I met with you that I was not committing to support or not support it, but I still wanted to think about. I had some problems with some of the things that could happen in the future. The biggest problem that I have is the fact that that project has not been done as we said it would be done when we first had an agreement at this meeting. You and I discussed that also. Mr. Reed said, uh huh. Commissioner Murray said, and there have been a lot of things that have come up controversial about it. Before I even voted to approve the zoning for that, I met with you and Mr. Friedman. Y'all even sat here during our meeting when the zoning was approved and said, yes, we agree with that, we have no comments, we agree with it. And now we keep getting changes. MPC also comes back and says, well, we don't have to take that to the County for any changes. When I say any change –, and this isn't to you, this is to MPC –, I meant any change period. That's in our minutes and that's what we expect. And still you over and over say, no, that doesn't have to do or that's not the intent of the Commission. Nobody's asked me what my intent was. My intent was exactly what was in that motion that was approved by this Commission, and that's what I expect to be carried out. Now that was not to you. You had no control over that. That's the MPC. Chairman Hair asked, well, isn't that why we're here today? Commissioner Murray said, that's why we're here today but there's several things that have come up that were not coming back to us, and this would not have come back to us either if the fence hadn't been done. But my major concern with this is what happens in the future if that is opened back up. Chairman Hair asked, but are you not satisfied that it can be done with apartments? Commissioner Murray said, I don't know whether it can or not, and that's my real question. Can it be? Chairman Hair recognized Mr. Hart. Commissioner Murray asked, can it be controlled where the back of those buildings cannot be opened with the access into those area? Mr. Hart said, if the owner or developer were to place that in their restrictive covenants in appropriate language, which would need to be reviewed, they would have the right to restrict access out of the back of that property. Now they'd also have a problem in that property backs up to that conservation easement, so you'd be opening a door onto the conservation easement, and if you got over in the conservation easement for purposes of ingress and egress, you'd probably have the DNR and –. Chairman Hair said, that's your best protection right there. County Attorney Hart said, – several other groups down your throat on that. It could be done with restrictive covenants. The only thing I would say about that is you'd have to have the owner do that, and the only other exception to that, and I just don't know –, I'd have to ask Mr. Anderson and he'd probably have to review the plans –, is if the fire code required a matter of ingress and egress out of the back of an office building of a certain size. I don't know whether that's a problem or not.

Chairman Hair recognized Mr. Reed.

Mr. Reed said, if I could visit –. The first question that Commissioner Murray asked, I mean, we're before you today to ask for basically a modification of that general development plan. I believe you could make no rear access to those buildings a requirement of that modification, if I'm not –, if I'm not mistaken, which would also give you protection, and we're happy to put it in the covenants. I mean, we can do whatever it is we can do to assure that. The second question Mr. Hart raised was about fire protection. The plans will have to go through a review by the Inspections Department naturally, and we've had some communications. I mean, I believe they can [inaudible], but there will be obviously a building permit issued. If we've got to have rear access, we'll do what we have to do. So –. Commissioner Murray said, okay. You know, I raised that question with you too about the back and the fire code and things. Mr. Reed said, that's correct.

Commissioner Murray asked, Gregori [Anderson], can you tell me whether those buildings would have to access out the back or not? Mr. Anderson said, quite frankly, Commissioner, I haven't seen the plans yet, so I can't comment on them. Commissioner Murray said, excuse me just a minute. The only thing I'm asking is do we have to have access out the rear of the building? With or without a plan? Mr. Anderson said, again, it's based on the depth of the building, the

occupancy, and those kinds of things. Commissioner Murray said, so we're actually being asked to approve something here today that we really may not have any control over. Am I right or wrong? Mr. Anderson said, no, the code dictates whether you have to have a second means of egress, if that's your question. I just don't understand what you --. Commissioner Murray said, what I'm saying is the developer is asking us to approve something --, an amendment --, and says there will be no exit to the rear of the facilities --, of these office buildings, but it hasn't gone up to Inspections or to check the codes or anything else, so we really don't know that. Mr. Anderson said, but I think you could act --. Mr. Reed said, Commissioner Murray, you may recall the buildings that we looked at that were on Stephenson Avenue were divided into three streets, those units were a little bit over 1,500 square feet. The individual units that we're going to build are going to be about 1,200 square feet, and those units do not require rear accesses or secondary doors. They had one front door going in. Those were approved and they did meet the fire code. So, I mean, I'm not telling you that I'm a building official and can tell you that it's going to be that way, but --. Commissioner Murray said, that's fine. I'm getting ready to make a motion and I want Inspections and I want the County Attorney, the developers and MPC to listen because if it's approved, I expect it to be carried out. I will move that we approve this contingent on the fire code not allowing --, not saying there has to be access because any code says there has to be access at the rear of the building, then this does not happen.

Chairman Hair said, so it's conditional approval. Commissioner Murray said, it's a conditional approval based on that and that it's also just --, can we put in here there is no access --. County Attorney Hart said, it would be easier to say it's a conditional approval that there will be no means of ingress and egress out the rear of the building for any reason. Commissioner Murray said, that's fine approving that part, but I'm talking about the other part that if, in fact, they go ahead and build them and they're built and one person that bought one of those units decides they want to open up a patio or something back there --. County Attorney Hart said, you can also put a requirement in there if you chose to require to be in the covenants, you know, conditional approval. Commissioner Murray said, all right, that requirement's included in the motion.

Chairman Hair said, all right, we have a motion. Do we have a second? Commissioner Thomas said, I'll second.

Mr. Reed said, I just want to mention one thing, Commissioner Murray, because I'm not sure how we landed on it, but there was this chain link fence issue. Commissioner Murray said, yes. Mr. Reed said, you know, neither the residents or ourselves were really interested in that. The people we met behind it, as you and I discussed, they were also not interested in that, so --. Commissioner Murray said, well, a few residents had called me since we met and said they didn't have a problem with this change, and when I mentioned the fact that the change sounds great but if somebody comes in and is allowed to open up the back of that and it come out, then what happens, and they didn't have an answer to that. So, at this point since that chain link fence is being --, or at least I was told to keep people from coming back that side, I'll leave that up to MPC. Mr. Reed said, well, the MPC, I think, in their motion, and correct me if I'm wrong, they actually --, their motion that was before you today came forward without the chain link fence. Is that not correct? Ms. Moore said, no, it did contain the chain link fence.

County Attorney Hart said, Commissioner Murray, for purposes of clarity, there's actually two fences involved here. There is a masonry fence that runs to the rear of the property line and then back behind there is that conservation easement that backs up to those residential properties, and then my understanding, and correct me if I'm wrong, there's going to be a chain link fence that runs across the rear of those single-family residential units. Is that correct? Ms. Moore said, yes, I want to clarify. MPC did recommend eliminating the chain link fence. County Attorney Hart said, okay.

Commissioner Murray said, all right, Milton [Newton], from MPC's standpoint, do you understand that? Gregori [Anderson], do you understand from it Inspections? Jon [Hart], you understand it and the developer understands it. Are we clear on everything we've just discussed? Mr. Reed said, I think so. Commissioner Murray said, this is in the minutes. Russ [Abolt], as County Manager, do you understand everything I've said? County Manager Abolt said, yes, sir. Yes, sir.

Chairman Hair said, all right, we have a motion. Second? Commissioner Thomas said, I seconded it. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rayno, McMasters and Odell were not present.] Chairman Hair said, the motion passes.

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

Commissioner Murray moved to grant conditional approval of the request by petitioner, Savannah Land Company, Ernie Friedman, for a revised General Development Plan for The Village at Bull River development located on East U.S. Highway 80 between Quarterman Drive and Johnny Mercer Boulevard within a PUD-MXU (Planned Unit Development - Mixed Use) zoning district to amend the fence requirement to construct an eight-foot high brick privacy fence along the northern portion of a 150-foot conservation easement, with the exception of those portions occupied by the proposed office buildings, based upon a requirement being placed in the covenants that there will be no means of ingress and egress out the rear of the buildings for any reason. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner McMasters was not present.]

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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. Commissioner Rayno? Commissioner Rayno said, number 4 please. Chairman Hair said, okay. Commissioner Rayno said, and 12-B and E. Chairman Hair asked, anything else? Commissioner Rayno said, no. Chairman Hair said, I'll entertain a motion to approve. Commissioner Murray said, number 7. Did you said, D? Commissioner Rayno said, I said, B and E. Chairman Hair said, Bravo and Echo. Commissioner Murray said, D. Chairman Hair said, okay. Commissioner Thomas said, 9. Chairman Hair said, 9. Commissioner Murray said, L. Chairman Hair said, I'll entertain a motion to approve the balance of the Action Calendar. Commissioner Thomas said, move for approval. Chairman Hair asked, second? Commissioner Murray said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Thomas moved that the Action Calendar be approved in its entirety with the exception of Items 4, 7, 9, 12-B, 12-D, 12-E and 12-L. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner McMasters was not present.]

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

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**1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON MAY 24, 2002, AS MAILED.****ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the minutes of the regular meeting on May 24, 2002, as mailed. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]

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**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD MAY 16 THROUGH JUNE 5, 2002.****ACTION OF THE BOARD:**

Commissioner Thomas moved that the Finance Director is authorized to pay claims for the period May 16, 2002, through June 5, 2002, in the amount of \$4,312,296. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]

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**3. REQUEST BOARD AUTHORIZE THE CHAIRMAN TO SIGN A GRANT APPLICATION TO THE BUREAU OF JUSTICE ASSISTANCE, LOCAL LAW ENFORCEMENT BLOCK GRANTS PROGRAM, FOR THE CHATHAM COUNTY POLICE DEPARTMENT, COMMIT \$7,740 IN FUNDING FROM THE SPECIAL SERVICE DISTRICT CONTINGENCY FUND AS THE CASH MATCH REQUIRED BY THE GRANT, AND AUTHORIZE THE CHATHAM COUNTY POLICE DEPARTMENT TO ENTER THE APPLICATION DATA THROUGH THE INTERNET TO THE BUREAU OF JUSTICE ASSISTANCE.****ACTION OF THE BOARD:**

Commissioner Thomas moved to authorize the Chairman to sign a grant application to the Bureau of Justice Assistance, Local Law Enforcement Block Grant Program, for the Chatham County Police Department, commit \$7,740 in funding from the Special Service District Contingency Fund as the cash match required by the grant, and authorize the Chatham County Police Department to enter the application data through the Internet to the Bureau of Justice Assistance. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]

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**4. REQUEST BOARD APPROVE A REQUEST FOR EARLY ACQUISITION FROM MARJORIE W. PURVIS AT 1349 HALCYON DRIVE DUE TO THE WIDENING OF WHITFIELD AVENUE. [DISTRICT 1.]**

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, for clarification purposes it says on the agenda it's District 6, but it is District 1. County Manager Abolt said, thank you. Commissioner Rayno said, this particular intersection has been one of high traffic accidents. It seems that numerous correspondence between myself and the staff has –, and I saw the report that they want to possibly rent this property out, but I would ask the Commission to consider demolishing this house as quickly as possible to align Halcyon Drive with King's Way so that as soon as possible we can put a traffic light in there. People have a very hard time of getting out of that particular neighborhood in Halcyon Bluff, and the reason that they've been given that they cannot have a traffic light is because of the misalignment of those two roads. It kind of comes at like a "Z" so that there's always problems with somebody pulling out and another one pulls out and they kind of all jerk into each other and you've got an accident.

Chairman Hair said, I will support that Commissioner Rayno. I will tell you this. I've been out in that area –, lived out in that area 18 years. I go by there at least twice a day, and what we've always been told is DOT always says it's not enough traffic for a traffic light. They've done study after study after study and, Mr. Bungard, correct me if I'm wrong, but I believe we've had numerous cases where we've had DOT go out there. I can note since I've been in office we've had three or four requests from Halcyon Bluff residents to try to go –, and we made that request to DOT. Am I correct or incorrect? County Engineer Al Bungard said, yes, I've requested it personally, we've done it in writing, but their usual answer is they don't want to invest the money in a traffic signal that will be ripped out when the traffic project comes along, not that there's not enough traffic. But they do argue the necessity right now. They do do that. County Manager Abolt said, and we've made personal appeal.

Commissioner Murray said, we also did this –, that used to be in the 4<sup>th</sup> District when we went through redistricting the last time. We had the same problem then. The State would not even address it. They finally came in and put the lights up there, the blinker lights. County Attorney Hart said, it's bad. Chairman Hair said, it's a very dangerous intersection. As I said, I go by there at least twice a day and I have for 18 years.

Commissioner Rayno asked, who would pave the road on Halcyon Drive once the house is torn down? County Engineer Bungard asked, excuse me, pave the road? GDOT will pay for all the construction of the improvements.

Commissioner Murray asked, do you have a time frame on that? County Engineer Bungard said, well, we have –, I think we got our third review of the Environmental Assessment back. I'm told it will be resubmitted in about a week, and once we have –, we're talking about a year at least before we have the public hearings and get approved right-of-way plans. Commissioner Murray asked, and have y'all agreed –, I mean, I know she's an agreeable seller, [inaudible]. Have y'all agreed on a figure or anything? County Engineer Bungard said, no. If y'all approve the early acquisition, I start the process to get approval from GDOT, Federal Highway, we do the negotiations and then we make an offer. The only thing is that normally –, it's sort of no hard written thing, if there's a chance that I can rent the building, get some revenue for more than a year, you know, I tend to rent it to get some revenue back. If we get down to the six months, then I start demolishing buildings to expedite the compression process.

Commissioner Rayno said, I understand that those residents would be very pleased if you started demolishing the building and align those roads up. Who pays for that road alignment right there at Halcyon Drive? Are you saying GDOT? County Engineer Bungard said, GDOT will pay for all the intersection improvements. In fact, we're going to be taking all of the homes, that down slope, because of access issues, we'll be acquiring all four along that stretch. Commissioner Rayno said, if I can't get the traffic light, I would at least like to get that road aligned. That would relieve a lot of the problem. County Engineer Bungard said, if we do something in the meantime, we will pay for it.

Chairman Hair said, yeah, I don't know that we can do that, Commissioner Rayno. County Engineer Bungard said, GDOT will pay for nothing. Chairman Hair said, I'm not even sure if we can do it even if we're paying for it.

Commissioner Murray said, well, on the traffic light, if the County paid for it, could it be installed during the construction of the project? County Engineer Bungard said, the concept includes a signal there in the project. Commissioner Murray asked, it does include one? County Engineer Bungard said, yes, it does.

Chairman Hair said, and also we have to get approval from DOT to do that because that's a State road. County Engineer Bungard said, we'd have to get a permit to do that. Chairman Hair said, it's a spur and we, even if we were to pay for it, we'd have to get approval and they may or may not give approval.

Commissioner Kicklighter asked, could we –, could we seek approval and possibly use some SPLOST? Commissioner Murray asked, you don't think –, are you satisfied the traffic light is part of the project? Chairman Hair said, yeah, it's already there, so we'd be –. County Engineer Bungard asked, what do you want to pay for one to take out later on?

We have that prerogative subject to permit. Chairman Hair said, I think that would be a very expensive project. Commissioner Thomas said, I do. Chairman Hair said, plus I'm not sure DOT would be happy with it.

County Manager Abolt said, it's your wish then by approving this that we would demolish the house as soon as we can. Commissioner Kicklighter said, not if we can get rent off of it until we –, we rent until they do. Chairman Hair said, I agree with that. Let's just rent the thing if we can.

Commissioner Rayno said, I want to have an exploratory conversation with GDOT and see what can be done to get it expedited. Those people have been waiting 20 years. Tom Coleman when he sat on this very Board promised them he would put a light in at that intersection. And then they bugged you [Murray] when it was your district. Commissioner Murray said, yeah, he said they wouldn't do it and it [inaudible]. Commissioner Rayno said, and the only thing that I got when I walked in that neighborhood was, "Put a traffic light on that corner." That's what they want. Chairman Hair said, well, we understand that, Commissioner Rayno, and we're sympathetic to that. We want the same thing, but when you're dealing with a State road, it's just a very difficult issue. Commissioner Rayno asked, can we at least look to see if it can be expedited? Chairman Hair said, certainly. I think we can ask GDOT. I think Mr. Bungard just told you the EIS probably wouldn't be finished until a year as far as the right-of-way. The center line –, you won't get a center line –, you've already got a center line? Mr. Bungard said, well, we have a preliminary alignment, but we won't have approve right-of-way plans for probably a year.

Commissioner Kicklighter asked, will Mr. Rayno have a red light there within two years? Commissioner Murray said, no. Chairman Hair said, you're looking at about four years. County Engineer Bungard said, once Federal Highway approves a draft EA, that triggers the scheduling of the public hearings, taking the comments, sending it all back. Same process for the EIS for any other, but that's why I'm saying it will take at least a year to get to that point.

County Manager Abolt said, it's important to note, we have made –, and I'm speaking for myself –, we've made personal appeal. Chairman Hair said, yes.

Commissioner Murray said, you know, this also includes the high rise bridge going out to The Landings on Skidaway Island from there also. Is that –? County Engineer Bungard said, not to the Diamond Causeway Project –, separate project. Commissioner Murray asked, are they separate? Chairman Hair said, yes. County Engineer Bungard said, separate projects, different termini.

Commissioner Rayno said, I'll make the motion to approve with the understanding we'll make every effort to expedite this project. Chairman Hair said, that's fair enough. Second? Commissioner Murray said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]

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

Commissioner Rayno moved to approve a request for early acquisition from Marjorie W. Purvis at 1349 Halcyon Drive due to the widening of Whitfield Avenue and requested staff make every effort to expedite this project. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]

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- 5. REQUEST FROM JAMES H. AND KATHLEEN P. WRENN, 100 OATLAND ISLAND ROAD, FOR THE COUNTY TO DECLARE THE PORTION OF BACON DRIVE RIGHT-OF-WAY BEHIND THEIR PROPERTY ON OATLAND ISLAND AS SURPLUS AND TO QUITCLAIM THE PROPERTY.  
[DISTRICT 4.]**

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

Commissioner Thomas moved to approve the request from James H. and Kathleen P. Wrenn, 100 Oatland Island Road, for the County to declare the portion of Bacon Drive right-of-way behind their property on Oatland Island as surplus and to quitclaim the property. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]

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- 6. REQUEST BOARD APPROVE FINAL SETTLEMENT OF CLAIM OF ANTHONY HAZEL.**

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

Commissioner Thomas moved to approve \$3,500.00 in final settlement of a claim of Anthony Hazel as a result of an automobile accident on December 27, 2001, involving Public Works employee Arando "Chico" Diazo. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]

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## **7. COMCAST/AT&T MERGER RESOLUTION.**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yeah. What say-so do we have in this? County Manager Abolt said, precious little. Commissioner Murray said, I mean, that's my point. Why are we having to even address it? I mean, the State --, our State delegation would not allow us to franchise it. County Manager Abolt said, it's a little part of the precious. County Attorney Hart said, it's written as part of the Federal regulations that the governing authority has to approve it, but we get no [inaudible]. Commissioner Murray said, we may have to approve it, but we have no say-so in what takes place. County Attorney Hart said, correct. County Manager Abolt said, that's correct. Commissioner Murray said, well, I'll vote against it.

Chairman Hair said, I need a motion to approve. Commissioner Rivers said, so moved. Chairman Hair asked, second? Commissioner Kicklighter said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Kicklighter and Thomas voted in favor of the motion. Commissioners Rayno, Murray and Gellatly voted in opposition. The motion carried by a vote of four to three. [NOTE: Commissioners McMasters and Odell were not present.] Chairman Hair said, the motion passes. Commissioner Murray said, we got three no votes. Good.

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

Commissioner Rivers moved to adopt the Comcast/AT&T merger resolution. Commissioner Kicklighter seconded the motion. Chairman Hair and Commissioners Rivers, Kicklighter and Thomas voted in favor of the motion. Commissioners Rayno, Murray and Gellatly voted in opposition. The motion carried by a vote of four to three. [NOTE: Commissioners McMasters and Odell were not present.]

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## **8. REQUEST BOARD APPROVAL TO AMEND THE PROVISION OF INSURANCE IN THE AGREEMENT BETWEEN CHATHAM COUNTY AND THE STATE OF GEORGIA FOR USE OF THE TRADE CENTER.**

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

Commissioner Thomas moved to amend the provision of insurance in the agreement between Chatham County and the State of Georgia for use of the Trade Center. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]

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## **9. REQUEST BOARD APPROVAL TO QUITCLAIM CHATHAM COUNTY'S INTEREST IN THE PROPERTY DEED OF THE MAY STREET YMCA. [DISTRICT 8.]**

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, I just wanted a quick explanation. Chairman Hair recognized County Manager Abolt. County Manager Abolt asked, I'm sorry? Chairman Hair said, she needs an explanation. County Manager Abolt said, this, like other projects, unfortunately this one's been on the front page of the paper. The County has funded through Special Purpose Local Option Sales Tax. To accomplish that we had to for a short period of time obtain title. Now you're giving it back. Commissioner Thomas said, giving it back. County Manager Abolt said, the project is complete. We've met all the requirements of law, and now we're transferring it back.

Commissioner Rivers said, so moved. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.] Chairman Hair said, the motion passes.

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

Commissioner Rivers moved to approve the request to quitclaim Chatham County's interest in the property deed of the May Street YMCA. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]

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**10. RENEWAL OF SUNDAY SALES OF BEER AND WINE POURING FOR 2002. PETITIONER: ANGUS J. HAYNES, D/B/A COUNTRY SOCIAL CLUB OF SAVANNAH, LOCATED AT 5150 JASMINE AVENUE. [DISTRICT 3.]**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the petition of Angus J. Haynes, d/b/a Country Social Club of Savannah, located at 5150 Jasmine Avenue, for renewal of Sunday sales of beer and wine pouring for 2002. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]

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**11. REQUEST BOARD APPROVAL TO APPLY TO THE CRIMINAL JUSTICE COORDINATING COUNCIL FOR A RENEWAL OF THE VICTIMS OF CRIME ACT (VOCA) GRANT.**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the request to apply to the Criminal Justice Coordinating Council for a renewal of the Victims of Crime Act (VOCA) Grant. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]

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

| ITEM   | DEPT.                        | SOURCE   | AMOUNT  | FUNDING                                 |
|--|------------------------------|--|---|---|
| A. Contract for the construction of the Benton Boulevard, Phase II project     | SPLOST                       | R. B. Baker  | \$1,234,216.05  | SPLOST (1998-2003) - Benton Blvd.       |
| B. 41 Dell replacement computers   | Library                      | Dell Marketing (state contract)  | \$53,218  | SPLOST (1998-2003) - Library Technology |
| C. 1,001 software licenses   | I.C.S.                       | McAfee.com (sole source)   | \$21,401.38   | General Fund/M&O - I.C.S.               |
| D. Fee to be charged and rental of Memorial Stadium                            | Parks and Recreation         | <ul style="list-style-type: none"> <li>•Board of Public Education</li> <li>•Benedictine Military School</li> <li>•Savannah High Band Boosters</li> </ul> | <ul style="list-style-type: none"> <li>• \$10,500</li> <li>• \$3,750</li> <li>• <u>\$ 950</u></li> </ul> \$15,200 | Revenue Producing                       |
| E. Professional services contract for consultant                               | Human Resources and Services | George C. Lynch  | \$30 per hour   | General Fund/M&O - Human Resources      |
| F. Termination of annual contract for security services at Bull Street Library | Library                      | Four Star Security Service   | N/A   | General Fund/M&O - Library              |

| <u>ITEM</u>   | <u>DEPT.</u> | <u>SOURCE</u>                            | <u>AMOUNT</u>          | <u>FUNDING</u>   |
|---|--------------|--|------------------------|--|
| G. Deductive Change Order No. 5 to the annual contract for lawn care services to discontinue services at the Police Headquarters, Department of Building Safety and Regulatory Services, Board of Equalization and Aquatic Center | Various      | Dreamscapes Lawn Maintenance of Savannah | (\$12,770)             | •SSD - Police<br>•SSD - Building Safety and Regulatory Services<br>•General Fund/M&O - Board of Equalization<br>•General Fund/M&O - Aquatic Center |
| H. Purchase and installation of five (5) 3M security gate detection systems for Forest City branch, Port City branch, West Chatham branch, Oglethorpe Mall branch and Islands branch  | Library      | 3M (sole source)                         | \$61,825               | CIP - Vehicle and Equipment Lease - CEL  |
| I. Purchase of submarine cable for the Islands Expressway and Skidaway Narrows Bridges  | Bridges      | L. F. Gaubert                            | \$37,598.40            | General Fund/M&O - Reserve for deductible  |
| J. Change Order No. 9 to repair sewer line under the contract for extension of utilities to Hutchinson Island   | SPLOST       | Southern Champion Construction           | \$106,072              | SPLOST (1993-1998) - Water and Sewer Extension - Hutchinson Island   |
| K. Contract for engineering services to design Riverwalk Extension on Hutchinson Island   | SPLOST       | Hussey, Gay, Bell and DeYoung            | \$211,610              | SPLOST (1998-2003)   |
| L. Appraisal review and analysis of information relating to CSX and Hutchinson Island land values   | Assessor     | Kenneth Voss and Associates              | Not to exceed \$10,500 | General Fund/M&O - Assessor  |

**As to Items 12-A through 12-K, except 12-B, 12-D and 12-E:**

Commissioner Thomas moved to approve Items 12-A through 12-K, except Items 12-B, 12-D and 12-E. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]

**As to Item 12-B:**

**41 Dell Replacement computers; Library; Dell Marketing (State contract); \$53,218; SPLOST (1998-2003) - Library Technology.**

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, it's the same problem I had with this is the problem I had last year is the fact that we buy from Dell and pay about \$1,300 per computer and the point of contact between the user and the CPU is the keyboard. That's the thing that gets all the abuse –, and the mouse –, so your CPU could be an E-machine like I have at home, which I can do non-linear digital editing on and I could do lead casting on, I can send out thousands of E-mails, but instead we get a unit that costs us \$1,300, and for the life of me with public funds being so short I can't understand why the Library year after year says we have to have that \$1,300 computer, which has got the same specifications as the E-machine. And again, I'll tell you, I've got a Tandy 1000 from 1986 that still works, a Commodore 64 from 1984, it still works, Tandy Sensation still works. I've got a Toshiba from 1996 that still works and now I've got an E-machine and it still works. Why do you spend twice to three times the amount than go cheaper and spend more for a keyboard, which takes all the abuse from the user, and a mouse, which takes all the abuse.

Chairman Hair recognized Mr. Bill Johnson.

Mr. Johnson said, my response is the same as last year. The Library has technology requirements. Frankly, I'm a little bit surprised because I was present a couple of weeks ago, maybe four weeks ago, when you approved without question virtually an identical purchase from the ICS Department for virtually identical machines to replace virtually identical machines. These machines were purchased between April and August –. Commissioner Kicklighter asked, can you pull the other mike down please. Mr. Johnson said, I'm sorry. These machines we're replacing were purchased between April and August of 1998. They're early generation Pentium II's. They have served out their useful lifetime. It's time to replace them. The Library has the same need to maintain its technology as other County departments.

Commissioner Rayno said, the super VGA monitors that you're currently using would be compatible with the new CPU's you're buying, would they not? Mr. Johnson said, yes, sir. We are –, these do have flat screen monitors. There are two reasons we're purchasing flat screen monitors now. One is to try to recover the desktop real estate so that people can use the work stations for reading as well as for computer use if they choose. The other is that the flat screen monitors conserve –, consume considerably less energy than CRT monitors.

Chairman Hair said, I'll entertain a motion to approve.

Commissioner Rayno said, one more thing. Would you please let the Civil Rights Museum know that you have computers for sale, public sale? Mr. Johnson said, I'll be more than happy to. County Manager Abolt said, I've already talked with Mr. Leonard again to confirm this. Commissioner Rayno said, okay.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Thomas said, move for approval. Chairman Hair asked, second? I need a second. Commissioner Rivers said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Murray and Thomas voted in favor of the motion. Commissioners Rayno, Gellatly and Kicklighter voted in opposition. The motion carried by a vote of four to three. [NOTE: Commissioners McMasters and Odell were not present.] Chairman Hair said, the motion passes.

**As to Item 12-D:**

**Fee to be charged and rental of Memorial Stadium; Parks and Recreation; Board of Public Education - \$10,500, Benedictine Military School - \$3,750, Savannah High Band Boosters - \$950; Total \$15,200; Revenue Producing.**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray asked, are these the same fees that we have been charging and, if so, for how many years have we been charging those fees? County Manager Abolt said, remember last year we had bumped up a lot of fees to raise an additional \$25,000 total. These were some of the fees, so these fees are a year old. Commissioner Murray said, well, these went into effect last year then. County Manager Abolt said, yes, sir. They include, you know, both the time of the day the event occurs plus obviously if it's night the rental of the lights. Commissioner Murray said, I don't guess we could table this today because if we do, they've already started the games they have to pay the fee. County Manager Abolt said, no, sir. This would be the football season, sir. We're just –, this is just getting ready for next year. Commissioner Murray said, I'd like to table it. Commissioner Rayno said, second.

Chairman Hair said, all those in favor of tabling vote yes, opposed vote no. Commissioners Rayno, Rivers, Murray, Gellatly, Kicklighter and Thomas voted in favor of the motion. Chairman Hair voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioners McMasters and Odell were not present.] Chairman Hair said, the motion passes.

**As to Item 12-E:**

**Professional services contract for consultant; Human Resources and Services; George C. Lynch; \$30 per hour; General Fund/M&O - Human Resources.**

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I'd like to table this because I consider it a personnel issue that I'd like to discuss in Executive Session.

Chairman Hair said, motion to table. Do I have a second? Commissioner Kicklighter said, second. Commissioner Murray asked, table it until after the Executive Session? Chairman Hair said, no, we –. Commissioner Rayno said, I could table it and we could talk about in Executive Session and come back next meeting and vote on it. Chairman Hair said, two weeks. Commissioner Rayno said, two weeks. Chairman Hair said, okay. The motion carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.] Chairman Hair said, the motion passes.

**As to Item 12-L:**

**Appraisal review and analysis of information relating to CSX and Hutchinson Island land values; Assessor; Kenneth Voss and Associates; Not to exceed \$10,500; General Fund/M&O - Assessor.**

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yeah, the only reason I pulled this is I'd just like to say that I'm glad to see this type of thing taking place even though it's costing us some money to do that, to bring in an independent appraiser to appraise some of the properties and commercial properties in Chatham County. I think that it might be something that we may be seeing more of taking place, and probably in the process we'll get a much better analysis and appraisal on that property than what we have before, and it's not to say that the people in the Tax Assessor's office don't know what they're doing, but they are not trained as well as an independent person which will do this. So I'd just like to commend the people in the Tax Assessor's office or the Tax Assessor's board or whoever came up with it for this, and I would move for approval.

Chairman Hair said, motion to approve. Second? Commissioner Rayno said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

1. Commissioner Thomas moved to approve Items 12-A through 12-K, except Items 12-B, 12-D and 12-E. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]
2. Commissioner Thomas moved to approve Item 12-B. Commissioner Rivers seconded the motion. Chairman Hair and Commissioners Rivers, Murray and Thomas voted in favor of the motion. Commissioners Rayno, Gellatly and Kicklighter voted in opposition. The motion carried by a vote of four to three. [NOTE: Commissioners McMasters and Odell were not present.]
3. Commissioner Murray moved to table Item 12-D. Commissioner Rayno seconded the motion. Commissioners Rayno, Rivers, Murray, Gellatly, Kicklighter and Thomas voted in favor of the motion. Chairman Hair voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioners McMasters and Odell were not present.]
4. Commissioner Rayno moved to table Item 12-E. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]
5. Commissioner Murray moved to approve Item 12-L. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioners McMasters and Odell were not present.]

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**XI. FIRST READINGS**

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

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

**1. AMENDMENT TO THE PURCHASING ORDINANCE CHANGING AUTHORITY TO APPROVE EMERGENCY PURCHASES.****ACTION OF THE BOARD:**

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

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**XII. SECOND READINGS****1. AMEND SECTION 3, GENERAL PROVISIONS, OF THE CHATHAM COUNTY ZONING ORDINANCE TO CREATE A NEW SECTION 3-12, VISUAL BUFFERS AND SCREENING. THE MPC RECOMMENDED APPROVAL.  
MPC FILE NO. Z-000830-30934-1  
[NO DISTRICT/TEXT AMENDMENT/UNINCORPORATED AREA.]**

Chairman Hair said, I'll entertain a motion. Pardon? Commissioner Thomas said, second reading. Chairman Hair said, second reading. This is second reading.

Commissioner Kicklighter said, motion to approve. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair asked, any discussion? All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner McMasters was not present.] Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to amend Section 3, General Provisions, of the Chatham County Zoning Ordinance to create a new Section 3-12, Visual Buffers and Screening. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner McMasters was not present.]

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**2. AMENDMENTS TO CHAPTER 1 OF THE COUNTY CODE ENTITLED "ORGANIZATION AND POWERS OF CHATHAM COUNTY GOVERNMENT" TO REQUIRE THAT A VACANCY OCCURRING PRIOR TO THE EXPIRATION OF THREE-FOURTHS OF THE TERM TO WHICH THE CHAIRPERSON OR ANOTHER MEMBER OF THE COMMISSION IS ELECTED MUST BE FILLED BY APPOINTMENT BY THE MAJORITY VOTE OF THE REMAINING MEMBERS OF THE COMMISSION. THE APPOINTED PERSON SHALL SERVE UNTIL THE VACATED POSITION CAN BE FILLED BY SPECIAL ELECTION.**

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

**ACTION OF THE BOARD:**

Commissioner Murray moved to amend Chapter 1 of the County Code entitled "Organization and Powers of Chatham County Government" to require that a vacancy occurring prior to the expiration of three-fourths of the term to which the Chairperson or another member of the Commission is elected must be filled by appointment by the majority vote of the remaining members of the Commission and the appointed person shall serve until the vacated position can be filled by special election. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner McMasters was not present.]

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**XIII. INFORMATION CALENDAR**

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

**ACTION OF THE BOARD:**

Written report received as information.

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

**ACTION OF THE BOARD:**

A written report was received as information.

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**EXECUTIVE SESSION**

Upon motion being made by Commissioner Thomas, seconded by Commissioner Rivers and unanimously approved, the Board recessed at 11:52 a.m., to go into Executive Session for the purpose of discussing litigation, land acquisition, and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 1:05 p.m.

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**ITEMS FROM EXECUTIVE SESSION**

- 1. **DISCUSSION REGARDING SETTLEMENT OF CHATHAM COUNTY, GEORGIA V. 4.52 ACRES OF LAND; DOMINY HOLDINGS, INC., CASE NO. CV02-0743-MO (JON HART).**

**ACTION OF THE BOARD:**

Commissioner Thomas moved that the Board authorize \$30,000 for settlement of the case of Chatham County, Georgia v. 4.52 Acres of Land; Dominy Holdings, Inc., Case No. CV02-0743-MO. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Rivers, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner McMasters was not present.]

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- 2. **DISCUSS STATUS OF CHATHAM COUNTY V. WHELAN ENGINEERING COMPANY, INC., CV99-1302-BA(JON HART.)**

**ACTION OF THE BOARD:**

Commissioner Rivers moved that the Board authorize acceptance of \$10,000 in settlement of the case of Chatham County v. Whelan Engineering Company, Inc., CV99-1302-BA. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner McMasters was not present.]

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

**ACTION OF THE BOARD:**

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

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**ADJOURNMENT**

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 1:07 p.m.

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APPROVED: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2002

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

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SYBIL E. TILLMAN, COUNTY CLERK