

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, NOVEMBER 5, 2004, 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 9:10 a.m., Friday, November 5, 2004.

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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.

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

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

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YOUTH COMMISSIONERS

Chairman Hair introduced the following Youth Commissioners who were in attendance: Clarissa Davis, a Senior at Johnson High School; Logan Bryan, a Junior at St. Vincent’s Academy; and Kyle Burnsed, a Junior at Savannah Arts Academy.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. SPECIAL RECOGNITION OF POLL WORKER BY BOARD OF ELECTIONS.

Chairman Hair recognized Mr. Tom Cole.

Mr. Tom Cole said, our honoree is running a couple of minutes late. If we could just hold that out of order —. Chairman Hair said, okay. She’s not being honored for timeliness, right? Okay. We’ll go to the next one.

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Chairman Hair said, Mr. Cole, I'll now call on you to recognize the poll worker.

Mr. Tom Cole said, thank you, Mr. Chairman. For those of you who don't know me, my name is Tom Cole. I'm the Chairman of the Board of Elections. We've just finished our elections. I have good news to report: Chatham County had over 91,000 votes, which is a 77% turnout. I think that's higher than —, 91,000 is obviously more than we've ever had in the past. It's well above the State average and well above the national average. But I'm here today as a surrogate for the Secretary of State. In September the Secretary of State, which participates in the Federal Election Assistance Commission, was asked to bring a poll worker to Washington, DC, to testify before this Commission, which was on C-Span and everything else, about the evolution of the role of the poll worker over time particularly in light of technology and everything that's changing. The Secretary of State's office chose not just out of Savannah's 850 poll workers and managers, but out of the entire State, the tens of thousands, a local citizen of Chatham County, Ms. Rose MarcAntonio. She was taken to Washington, she was flown up there. The —, and she testified about that evolution. Apparently, according to the Secretary of State's office, she had them crying, she had them laughing, she did a fantastic job representing our City and our County. She's somebody that's been a poll worker for over 50 elections locally. I mean, she's someone who's truly been dedicated to the election process. My understanding is she's somebody that believes that voting is a sacred right, and she lives it and she works hard to make sure that everybody in Chatham County gets that opportunity. But the Secretary of State's office has sent a certificate down here and asked that the Elections Board present it, and I know they're very pleased that the County Commission has given us a couple of minutes. The actual award here is —, and Ms. MarcAntonio, why don't you stand up here next to me for just a minute. You look wonderful this morning by the way. For those of you who don't know, this is Ms. Rose MarcAntonio and the Secretary of State said:

I, Cathy Cox, Secretary of the State of Georgia, do hereby proclaim Rose MarcAntonio as an outstanding citizen. May this outstanding citizen be afforded every courtesy as a goodwill ambassador from Georgia in his or her travels to other states and nations beyond the borders of the United States of America or wherever this person may hereafter travel or reside.

Mr. Cole said, and they've asked me to present that to Ms. MarcAntonio. We want to say [inaudible due to the applause]. Mr. Cole said, she's also one of the named honorees for the local MarcAntonio Award, which is an elections award named in her honor as well as her late husband, John's honor.

Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, yeah, I would just like to give you another perspective on Rose [MarcAntonio]. I've known her for lots and lots of years and when she wasn't doing that, why, she was volunteering to help her local police department, and she was always there when the department needed her in the good times and the bad times. She supported us when it was popular to do so. She supported us when it wasn't popular to do so, and also she is an excellent cook especially as far as Italian food is concerned. If there are any overweight officers in the department, why, she's responsible for that. Thank you.

Chairman Hair asked, what time's lunch? We can make sure we're out of here by lunch. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I don't know Ms. MarcAntonio, but I did know your husband and he was an honorable, good man and he taught me many things because I always try to be a bricklayer and he would always assist. But beyond being a citizen of the year, she's also the mother of a very fine attorney in this community, and if she could stand —, I see her in the back, not willing to stand —, but if Laura [MarcAntonio] can stand, this is her daughter. Chairman Hair said, come on up, Laura [MarcAntonio]. Ms. MarcAntonio said, she was born on my birthday.

Chairman Hair said, thank you so much. Would you like to say anything, Ms. MarcAntonio?

Ms. MarcAntonio said, yes, I have one thing to say. First, I want to thank each and every one of you. There are two people in this room who are my heroes, although I'm not going to give them my number. The first one is the former Police Chief, David Gellatly, who was my great inspiration for many, many years, especially when I did the Mysterious Santa Claus. He always helped me out, and every time I would see a police car following me, I always had the fear that it was the Police Chief coming after me. And the other person is Mr. Russ Abolt, who, when I worked at K-Mart, used to come there and insist that I help him buy gifts for the people of the County Commission. So I'd like to say what he picked out, but it was always a good choice. And with your permission, I do want to say that I have a poem that I wrote, and with your permission, it's about me, it's about my life coming to America, and it's about the voting process. If I have your permission, I do want to get the poem —. Chairman Hair said, you certainly have our —. Ms. MarcAntonio said, — and read it to you.

Mr. Tom Cole said, while she's getting that, also present we have Ms. Marie Brazzell, who's one of our board members, and Diane [Carver], a long time employee of the board. Commissioner Odell said, we've got to give Diane [Carver] a hand. Mr. Cole said, it really is people like Diane [Carver] and Ms. MarcAntonio that keep the board running straight.

Ms. MarcAntonio said, the poem is titled "Get Out and Vote."

I arrived in America as a very young child,
Once glance at the statue I almost went wild.
Acquiring citizenship was a demanding task,
Pursuing a dream that I knew would last.

What can I do to help this nation?
Ask people to vote and make a selection.
If you hesitate to register for fear of jury duty,
Think of justice that needs your security.

If you feel you have the American spirit,
Register to vote then do it.
The polls are open from seven to seven,
Go to the polls, not the 7-11.

If an elected official gives you a pain,
Get out and vote then don't complain.
Vote your choice, make your preference,
Just one vote makes all the difference.

This is our country, this is where we belong,
Get out and vote, let's make America strong.

Ms. MarcAntonio said, thank you. Chairman Hair said, thank you so much for being here. Ms. Marc Antonio said, thank you.

Chairman Hair said, that's a hard act to follow here.

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2. PRESENTATION TO VETERANS COUNCIL: JACK R. ADAMS, 2004 VETERAN OF THE YEAR; LAWRENCE FORT, 2004 PARADE MARSHAL; AND KEN SEYMOUR, CHAIRMAN OF THE VETERANS COUNCIL.

Chairman Hair said, I'm going to call on Ken Seymour initially, Chairman of the Veterans Council, and then I'll go down and make the presentation. Chairman Hair recognized Mr. Seymour.

Mr. Ken Seymour said, good morning. The Commissioners said, good morning. Mr. Seymour said, I'm Ken Seymour, Chairman of the Veterans Council. For the past four years I've been before y'all to thank you for your support of the veterans of Chatham County and also to introduce you to the Veteran of the Year and the Parade Marshal. Now four years, it's time for me to step down now, so this is my last time I'll be coming up here and I'm stepping down as the Chairman of Veterans Council. Before I step down I would like to refresh your memory on exactly what is the Veterans Council and talk a few minutes about veterans since we're coming up to Veteran's Day. Of course, I realize we have veterans right here. Russ [Abolt], a Marine; Frank [Murray], National Guard, Retired Colonel, and Billy [Hair], you are a veterans also, and there might be some others too. Commissioner Thomas said, Joe Murray [Rivers]. Mr. Seymour said, let me refresh your memory on some things. Chairman Hair said, Commissioner Rivers is also. Mr. Seymour said, Joe [Rivers], I'm sorry. Okay. The Veterans Council, there's 27,000 veterans here in Chatham County and 22 veterans organizations, such as five American Legions, two VFWs, Purple Hearts, Disabled American Veterans, the Marine Corps League, and the Jewish War Veterans, and on and on. These —, years back and these or some different veterans organizations realized that if we came together as a council we could get more done. So each of these veterans organizations send six delegates to the council. So that's what the Veterans Council consists of six delegates from various veterans organizations. Now, our main function is lobbying for veterans' affairs because the veteran, as you know, has earned certain rights and these are rights, if we don't watch it, is being taken away from us, a little bit at a time, little bit at a time. So we lobby for this, and the Veterans Council lobbies at a local level. You might say, "Why do you have to lobby since something you have earned is being taken away from you a little bit at a time?" Well, number one, how did we earn these rights? During the various wars there was a draft, people got drafted. Some didn't want to go, but they went anyway and others went freely. People like myself and some others, we were ready to go. We wanted to kick butt. We volunteered to defend our country, but in doing this we lost quite a bit and we've earned the right because of the loss. We lost —, the first thing we lost was our childhood innocence, which we never could get —, regain. We also lost the time that we spent away from our families, our loved ones. We missed out on our children taking their first step. I could go on and on. We also lost our best buddy who was killed next to us. We also lost tangible things, such as an arm and a leg. So we earned us a right, but it's being taken away from us a little bit at a time. So this is why we're lobbying. And one way we lobby here is keep the name veterans in front of the public as much as possible. To do this we've put on various veterans festivities, such as flag retirement ceremonies, memorial services, church memorial services, assist the schools in educating the children about veterans, and we even put on the Veterans Day Parade. We're trying to keep the name veterans in front of the public as much as possible. In doing this, it costs money and even at national level of the government, they always when they cut a budget, or least to balance the budget and can't find funds, it looks like they always get on the veterans, cut the veterans. I would like to look at some of these priorities from some of these government agencies when they cut this. But 2001, 9-11, we'll all remember this. Afterwards the President of the United States told the whole country, "Remember 9-11." So 2002 we had a memorial service out at Grayson Park to remember 9-11, which was an outstanding ceremony. Come 2003 and the County Commissioners cut our help. We had to delete the 2002 —, 2003 9-11 ceremony because we couldn't afford it. 2004 came along, well y'all deleted all of our funds. So now we have to cut our budget because you had to cut your funds. If you don't have it, well you can't spend it. Now, so the first thing we did was cut out our church memorial service. Also we considered —, we pass out \$800 worth of flags during the parade. Well, we might have to cut that. We also spend \$1,200 putting wreaths on the 32 veterans memorial monuments here in Chatham County. We might have to cut that. I can go

down the list of various things we might cut, but next year consider us please because we need to keep our name, Veterans, in front of the public as much as possible. We need your help and we appreciate your help from the past, but we realize that things are kind of tight and you need to tighten up here and there to make your budget balance, but look at some other priorities. Just don't beat on us all the time please.

Mr. Seymour said, and now at this time I would like to introduce our Veteran of the Year and our Parade Marshal. Please step forward. The Veteran of the Year is a special person. He is a person who has demonstrated a willingness to sacrifice time and energy on behalf of veterans. The Veteran of the Year is an upright citizen who has worked for the benefit of other veterans. Over all this person deserves the title of Veterans of the Year. This is the highest honor a veteran Chatham County can receive. Our 2005 Veteran of the Year is Jack Adams. Mr. Jack Adams said, hello. Good morning.

Mr. Seymour said, to be named the Parade Marshal in the Veterans Day Parade is a special honor that goes to a special person. This person also has demonstrated a willingness to sacrifice time and energy on behalf of other veterans. The Parade Marshal for this year is Lawrence Fort. And I would also in closing like to thank you for your past support of Veterans Council.

Chairman Hair said, I've got some presentations for you. Mr. Seymour said, oh, thank you. Chairman Hair said, on behalf of the Chatham County Commission I would like present first to you, Mr. Seymour, a medallion which reads, Ken Seymour for dedicated and distinguished service for our country and for being named 2004 Veteran of the Year. Thank you, sir. Mr. Seymour said, thank you.

Chairman Hair said, this one is for Jack Adams and —, for being named —, dedicated and distinguished service for being named 2005 Veteran of the Year. Mr. Adams said, thank you very much, sir. Chairman Hair said, these are very nice presentations here.

Chairman Hair said, and the Parade Marshal. This award for dedicated and distinguished service for our country and being named Veterans Day Parade Marshal. Would you like to say anything, either one of you? The Veterans of the Year?

Mr. Adams said, thank you very much for letting us guys come up here and see all you guys, okay. I've never been here before. Commissioner Kicklighter said, thank you, sir. Commissioner McMasters said, thank you for your service. Mr. Adams said, thanks a lot for having me. I appreciate it.

Chairman Hair said, thank you. Commissioner Kicklighter asked, Mr. Chairman, may I ask a questions please? Chairman Hair said, yes sir.

Commissioner Kicklighter said, Russ Abolt. I know that in the past we had some serious budget problems and we cut several just wonderful needy agencies that did great things. Do you have any idea how much money we cut for this organization or whether or not —. County Manager Abolt said, this is part of our grant-in-aid program. As you know, a few years ago we went 50% and the following year —. Chairman Hair said, 100%. County Manager Abolt said, — and subsequent years we've eliminated all grant-in-aid. Commissioner Kicklighter said, right. I mean, I knew we did that, but I was just wanting to know what —, the number there because I know we had Rape Crisis Center and a lot of —. County Manager Abolt said, yes sir. Commissioner Kicklighter said, — fine organizations. Chairman Hair said, they were all cut out. County Manager Abolt said, yes sir.

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, the Commission put into the SPLOST twelve and a half million dollars for nonprofit and service agencies. I was wondering was this group eligible to —. County Manager Abolt said, I don't believe they submitted an application. Chairman Hair said, it had to be a capital improvement. County Manager Abolt said, capital improvement. Chairman Hair said, it was only capitol improvements, not grants-in-aid. County Manager Abolt said, I don't recall. You might have a better memory than I. I don't recall them ever submitting an application. Commissioner McMasters said, well, I know there were a number of organizations that filed late and we chose not —, well, Senior Citizens was one. So —. Chairman Hair said, they did not —, it was a —, they had no capital improvements. These were part of the grants-in-aid that were cut out by this Commission, 50% one year and 100% the second year.

Commissioner Kicklighter said, yeah, and I just want to state on that, that that was the Commission's belief in the past to not use the property taxes on nonprofits, but to use sales tax, and that's how we got there and kind of came out of that twelve million dollar deficit. It was tough and rough but, you know, you have to cut areas and that's a shame because those are wonderful people and wonderful organizations.

Chairman Hair said, thank you.

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3. PROCLAMATION TO DECLARE WEEK OF NOVEMBER 15 - 21, 2004, AS CHILDREN'S BOOK WEEK. CHRISTIAN KRUSE, CONNIE COLEMAN AND CHRISTY DIVINE WILL ACCEPT THE PROCLAMATION.

Chairman Hair read the following proclamation into the record:

WHEREAS, reading is the cornerstone of education and children represent the future; and each word absorbed by a young mind today plants a seed for a better tomorrow for us all; and

WHEREAS, knowledge is the finest asset that we can give our children and it is the catalyst for accomplishing great things in life; and the love of books and reading, passed from adult to child, from generation to generation, is a lifelong treasure that helps to uncover the secrets of our universe; and

WHEREAS, Live Oak Public Libraries presents the Savannah Children's Book Festival to celebrate the written word and the joy of reading; and

WHEREAS, children will have the opportunity to meet and learn about nationally renowned authors, illustrators and storytellers; and

WHEREAS, parents will have the opportunity to learn about literacy skills and the importance of reading; and

WHEREAS, educators and education students will have the opportunity to come together with one of the nation's leading literacy experts to learn more about these issues and to learn from each other; and

WHEREAS, "Let's Book" is the theme chosen by the Children's Book Council for the 85th annual observance of Children's Book Week to promote the enjoyment of books for young people.

NOW, THEREFORE, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim November 15 - 21, 2004 as:

CHILDREN'S BOOK WEEK

in Chatham County and do hereby urge all citizens to join with Live Oak Public Libraries to celebrate books for young people and learning through reading by their participation in the Savannah Children's Book Festival on Saturday, November 20, 2004 from 10 AM to 4 PM in Forsyth Park.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 5th day of November 2004.

Dr. Billy B. Hair, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

Mr. Christian Kruse said, thank you very much, sir. Chairman Hair said, thank you for coming.

Ms. Connie Coleman said, we have this poster. We have posters for everyone on the Commission. It's a poster about the book festival on the 20th in Forsyth Park and a little brochure about the authors, et cetera. So we have one for everybody on the Commission.

Chairman Hair said, we'll make sure they put this in a proper place. Ms. Coleman said, thank you. Chairman Hair said, thank you for the work y'all do.

County Manager Abolt said, Mr. Chairman, it's been a very well-kept secret, not by anybody's intent, but the Library Board has selected a new Library Director and that gentleman is Christian Kruse.

Ms. Coleman I just want to say thank you so much for choosing to recognize Children's Book Week. One of the most important things that we can do for children is help them read and reintroduce them to books, tell them what books are. So we want to come out and remind the children what books are and we hope you'll join us November 20th, Forsyth Park, all day for a wonderful celebration. Thank you.

Chairman Hair said, thank you.

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4. PROCLAMATION TO DECLARE WEEK OF NOVEMBER 14 - 20, 2004, AS AMERICAN EDUCATION WEEK. FROM THE CHATHAM ASSOCIATION OF EDUCATORS, JOCELYN SCHILLING, PRESIDENT, AND JOSEPH N. BELL, EXECUTIVE DIRECTOR, WILL BE PRESENT TO RECEIVE THE PROCLAMATION.

Chairman Hair read the following proclamation into the record:

WHEREAS, public schools are the backbone of our democracy, providing young people with the tools they need to maintain our nation's precious values of freedom, civility and equality; and

WHEREAS, by equipping young Americans with practical skills and broader intellectual abilities, schools give them hope for, and access to, a productive future; and

WHEREAS, education employees -- be they custodians or teachers, bus drivers or librarians -- work tirelessly to serve our children and communities with care and professionalism; and

WHEREAS, schools are community linchpins, bringing together adults and children, educators and volunteers, business leaders, and elected officials in a common enterprise.

NOW, THEREFORE, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim November 14 -20, 2004 as:

/ **THE 83RD OBSERVANCE OF AMERICAN EDUCATION WEEK**

in Chatham County and urge all citizens to join the Chatham Association of Educators in the promotion of their theme: "Celebrating the American Dream".

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 5th day of November 2004.

Dr. Billy B. Hair, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

Ms. Jocelyn Schilling said, good morning. On behalf of the Chatham Association of Educators, the National Education Association and the Georgia Association of Educators, I thank you, Commissioner Chairman, fellow Commissioners and my Commissioner, Mr. Kicklighter, for recognizing American Education Week and we hope that you will continue to help us support in spirit the work that educators do, whether it be a paraprofessional in the classroom, the classroom teacher or the administrator working in the school. Thank you very much.

Chairman Hair said, thanks. Commissioner Kicklighter asked, Mr. Chairman, could I comment? Chairman Hair said, certainly.

Commissioner Kicklighter said, Ms. Schilling was —, we all appointed her to the Library Board and I know her very well and she's a great example of dedicated teachers that we have here in Chatham County. Not only does she do her job well at school, but you can see her attending all the children's football games in the evenings and just staying all night long to get to be a part of their lives and, you know, I appreciate her services. Mr. Bell, appreciate you too. Y'all are doing the most important thing by teaching our young people and I do appreciate y'all. Ms. Schilling said, thank you very much.

Chairman Hair said, we appreciate y'all being here. As y'all know, I've spent a great part of my life in education and —, education didn't give me this grey hair, politics gave me the gray hair. I had jet black hair when I got in politics. We appreciate what y'all do very much. Commissioner Rivers said, it's going to change, Billy [Hair]. Chairman Hair said, yeah, coming out of a bottle maybe.

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VI. CHAIRMAN'S ITEMS

- 1. ~~FEASIBILITY OF NAMING FORMER AIR NATIONAL GUARD PROPERTY TO REMEMBER COUNTY COMMISSION CHAIRMAN BILL STEPHENSON.~~ Delay item until November 19, 2004, meeting due to illness in the Stephenson family.

ACTION OF THE BOARD:

This item was removed from the agenda.

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2. RECESS TO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS.

Chairman Hair said, I need a motion to recess to Executive Session to discuss personnel issues. Commissioner McMasters said, so moved. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Rayno was not present when this vote was taken.] Chairman Hair said, it passes.

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Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 9:57 a.m.

Chairman Hair said, okay, for the record there were no votes taken in Executive Session.

ACTION OF THE BOARD:

Upon motion being made by Commissioner McMasters, seconded by Commissioner Thomas and unanimously approved, the Board recessed at 9:25 a.m., to go into Executive Session for the purpose of discussing personnel. [NOTE: Commissioner Rayno was not present when this vote was taken.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 9:57 a.m.

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VII. COMMISSIONERS' ITEMS

None.

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CHATHAM AREA TRANSIT AUTHORITY

The Board recessed as the County Commission at 9:57 a.m., and reconvened as the Chatham Area Transit Authority. [NOTE: Commissioner Rayno was not present at the time this vote was taken.]

The Chatham Area Transit Authority was adjourned and the Board reconvened as the County Commission at 10:42 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 (*).

None.

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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: AN ADDITIONAL GENERAL FUND APPROPRIATION FOR THE COUNTER NARCOTICS TEAM DEPARTMENT.

Chairman Hair said, I'll entertain a motion to approve. No motion to approve? Commissioner Odell said, move for approval. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Russ [Abolt], I really don't care where it comes from at this point, but the intent that we approved that budget was that money was put into a restricted fund. That money shows up in the restricted fund already where it went from 1.1 to like 1.4 million, whatever the change was. I don't understand why we'd be pulling out of this other area if the money was set aside in that area. County Manager Abolt said, okay, if you look —. Commissioner Murray said, and wherever it comes from it doesn't matter because the intent when opted the budget was not to cut it. It was to put it in restricted funds until we found out how the merger was going, and that is going fine and I don't have a problem transferring the money over.

County Manager Abolt said, thank you, sir. Ms. Cramer since our conversation attempts to identify why you see that adjustment in restricted and it's the second line of that funding thing, restricted contingency accounts, are not available. The fundings increased since they are composed of cost of living increase, medical plan costs and one percent fund

balance contribution as provided by the financial policy. That's why we couldn't use that money. We can use the money you all set aside because it was a plus number for vacancies and you can get where you want to be by adopting the motion.

Commissioner Murray said, well, that's fine. I just want to make the point when we adopted the budget, it was adopted with that understanding that the \$300,000 would go into a restricted account for that use if necessary. County Manager Abolt said, thank you, sir.

Chairman Hair said, okay. All —, we have a motion and a second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rayno, Rivers and Kicklighter were not available when this vote was taken.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved to approve an additional General Fund appropriation of \$323,310 for the Counter Narcotics Team Department (\$300,000 from Vacant Positions and \$23,310 from Contingency). Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rayno, Rivers and Kicklighter were not present at the time this vote was taken.]

AGENDA ITEM: IX-1
AGENDA DATE: November 5, 2004

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Linda Cramer, Finance Director

ISSUE:

To request an additional General Fund appropriation for the Counter Narcotics Team (CNT) Department.

FACTS AND FINDINGS:

- 1) CNT received a budget appropriation of \$2,727,877 for fiscal 2005. This allocation was \$300,000 below the recommended Level 1 budget.
- 2) To stay within this budget, CNT will have to create vacancies within the department by transferring staff back to the Sheriff. Hiring for two positions that are currently vacant will also need to be frozen. Operating line items within the budget will also need to be reduced (see attached).
- 3) Staff is currently analyzing the total impact of the City of Savannah's proposed 2005 budget on County police activities. The analysis of CNT operations indicates additional costs of \$23,310 for fiscal 2005.
- 4) Staff has received an ambitious funding proposal from Michael Edwards, Office of Public Defender, Eastern Judicial Circuit. Although unrelated to CNT, the proposal does include funding requests from the General Fund for fiscal 2005 through fiscal 2007. Staff is currently reviewing this proposal for impact.

FUNDING:

Funding is available through a General Fund transfer of \$300,000 from Vacant Positions and \$23,310 from Contingency to the Counter Narcotics Team Department. Restricted contingency accounts are not available to fund this increase since they are composed of cost of living increases, medical plan cost increases, and the 1% fund balance contribution as provided by the financial policies.

ALTERNATIVES:

- 1) That the Board approve additional funding of \$323,310 for CNT operations, or
- 2) That the Board deny increased funding for CNT and authorize staff to make cuts shown in attached memorandum.

POLICY ANALYSIS:

The Board has the authority to approve budget transfers at the department level.

RECOMMENDATION:

That the Board approve Alternative 1.

INTER-OFFICE CORRESPONDENCE

DATE: October 26,2004
TO: R.E. Abolt, County Manager
THROUGH: Linda Cramer, Finance Director
FROM: Read DeHaven, Budget Officer
SUBJECT: Counter Narcotics Team – Strategy to Stay within Adopted FY2005 Budget Levels.

As you requested, Finance and CNT have been working together to identify methods to keep CNT within its FY2005 budget parameters. The adopted FY2005 budget for the Counter Narcotics Team (CNT) included a \$300,000 reduction from Level 1's recommended funding. In October Finance received the City's fiscal 2005 budget proposal for the SCPD. This budget results in a \$23,310 increase to CNT expenditures over the original budget estimate. Therefore, CNT's funding needs now total \$32,310.

For CNT to stay within its budget, the following actions are recommended.

1. Transfer six deputies currently on assignment from the Sheriff's department to existing vacancies in the Sheriff's department or Detention Center effective November 2004. Savings for eight months approximate \$192,000.
2. Leave vacant the CNT Administrative Assistant position for full fiscal year. Twelve month savings \$39,060.
3. Leave vacant the officer from the town of Thunderbolt for the remainder of the fiscal year. Twelve month savings \$33,350.
4. Reduce operating budget line items by \$35,590.
5. Transfer \$23,310 from the General M&O contingency account.

CNT Action Summary

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| Transfer deputies back to Sheriff | \$192,000 |
| Vacant Administrative Assistant position | 39,060 |
| Vacant Thunderbolt officer position | 33,350 |
| Operating line item reductions | 35,590 |
| Contingency transfer | <u>23,310</u> |
| Total | <u>\$323,310</u> |

The operational impact of these resolutions is not discussed herein.

The Adopted 2005 departmental budget of \$2.7 million is actually higher than the 2004 budget by over \$115,000. CNT did not overspend its 2004 budget. Why was CNT able to stay within its 2004 budget but unable to stay within the adopted 2005 budget? The answer is staffing levels. In July 2003 CNT had nine vacancies. This produced a favorable fiscal 2004 budget variance in salaries and benefits of \$277,554. Currently CNT has two vacancies. Additional vacancies will be created by transfer of CNT personnel back to the Sheriff; therefore, no staff layoffs will occur. Temporary reclassification of at least one position in the Sheriff or Detention Center budget will be required to implement this strategy.

Within the operating line items, possible reductions would occur in Overtime (\$10,000) and Other Contractual Services (\$25,590). This action would make the current year budget for these line items reflect prior year's actual expenditures levels. Further reduction in operating line items is not recommended based on prior years' experience.

Attached for reference are two budget scenarios for CNT. The first shows the CNT budget incorporating the above suggested actions. The second shows the CNT budget with restoration of funding. Some realignment of expenditures among object codes may need to occur later in the fiscal year.

Please approve this reduction strategy or provide us with further direction.

Attachments

CC: Commander Williams, Counter Narcotics Team
 Michael Kraiger, Director, Human Resources & Support Services
 Sheriff Al St. Lawrence
 Michael Grant, Senior Budget & Management Analyst

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2. FIRST QUARTER BUDGET REPORT AND RECOMMENDATION TO IMPLEMENT M&O HIRING FREEZE.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Ms. Cramer can expand on this if you wish. You'll notice our main concern is, as might be expected, is what property taxes are or are not doing. We'll not have really any definitive information on property tax collection until possibly the middle or the latter part of January. In the M&O budget and the M&O budget only I'm recommending that we slow down expenditures and the most painless way of doing that at this point would be to put a hiring freeze on with certain exceptions. I do have as an attachment to my memo to you a position prepared by Mr. Kaigler which reflects your past precedent where certain positions, public safety positions, as well as those in child support and the Tax Commissioner's office are exempted from the freeze. That would mean all other positions wishing to be filled would have to come before this body and the next Commission until the freeze is lifted.

Chairman Hair asked, anybody want to make a motion to that effect? Commissioner Rayno said, motion to approve. Chairman Hair asked, second? Commissioner Odell said, second. Chairman Hair said, okay. Discussion?

Commissioner McMasters said, we all know that property tax collections lag behind, but isn't it true that all other revenue categories, miscellaneous revenues, LOST revenues, are exceeding budget projections for the first two periods of FY05? County Manager Abolt said, there's only one period of FY05.

Chairman Hair said, Ms. Cramer, could you answer —. County Manager Abolt said, this —. Chairman Hair said, — she would be —. County Manager Abolt said, — this is your first quarter report. Ms. Cramer said, for the first quarter, yes, all the other revenue categories do look very positive. Commissioner McMasters asked, but they are exceeding budgeted revenue projections? Ms. Cramer said, they're very positive. They're either on budget or they're —. Commissioner McMasters asked, over? Ms. Cramer said, they're very close. Some of the courts are about at 22%, but, you know, we anticipate that will level out soon.

Chairman Hair said, that's restricted. All of those are restricted to spend on certain items. They're not —. Ms. Cramer said, well, they're just general things. Chairman Hair said, right. Ms. Cramer said, I mean —.

Commissioner McMasters said, General Fund M&O revenues with the exception of property tax always lags behind or as budgeted or exceeding budget. Ms. Cramer said, yes, it's looking very positive.

Chairman Hair said, all right. I have a motion and a second to approve the hiring freeze. Commissioner McMasters said, thank you. Chairman Hair said, all in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Rivers, Murray and Kicklighter were not present when this vote was taken.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Rayno moved that effective immediately until middle or late January 2005, the Board implement a M&O hiring freeze on all positions except all public safety positions and revenue generating positions in Child Support and the Tax Commissioner's office; however, all departments may be allowed to fill any positions where a job offer has been extended prior to the effective date of this hiring freeze. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers, Murray and Kicklighter were not present when this vote was taken.]

RELATED TO AGENDA ITEM: IX-2 AGENDA DATE: November 5, 2004

DATE: November 5, 2004
TO: Chairman and Members of the Board
FROM: R. E. Abolt, County Manager
SUBJECT: Implementation of an M&O Hiring Freeze with Certain Exceptions

Dr. Thomas and gentlemen, attached is an explanation prepared at my request by Mike Kaigler that would allow you to implement subject hiring freeze until after the first of the calendar year. Because we will not have the experience of property tax collections available until our six-month budget report, the recommended policy will offer an option to reduce expenditures until more is known.

REA:fqr

Attachment

cc: Linda B. Cramer, Finance Director
Michael A. Kaigler, Director, Human Resources and Services

DATE: October 28, 2004

TO: R. E. Abolt, County Manager

FROM: Michael A. Kaigler, Director
Human Resources and Services

SUBJECT: Hiring Freeze Policy

The Board, in an effort to generate salary savings, has in past years enacted a hiring freeze for specific periods of time. In each case it has been the Board's policy to exempt from the hiring freeze all public safety positions. The Board also on several occasions exempted revenue generating positions, such as, positions in Child Support and Tax Commissioner's office. The Board has also included a procedure where departments may request a waiver of the hiring freeze for positions where it is deemed that it will be more costly to freeze the position than to fill it. If the Board votes to enact the hiring freeze, I recommend that departments be allowed to fill positions where a job offer has been extended prior to the effective date of the hiring freeze.

/s/
Michael A. Kaigler

AGENDA ITEM: IX-2
AGENDA DATE: November 5, 2004

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Linda Cramer, Finance Director

ISSUE: To present the Fiscal Year 2005 First Quarter Report dated September 30, 2004 to the Board for information.

BACKGROUND: Financial reporting conveys information concerning the position and activities of the County to its citizens and other interested parties. Interim financial reports generally are prepared for use by professional government managers and board members. Such reports monitor levels of year-to-date operations and determine compliance with budgetary limitations.

FACTS AND FINDINGS:

- 1) The First Quarter Report covers various county funds and presents budget-to-actual comparisons. Adopted and amended fund budgets are presented as well as variance data. Prior year numbers are presented for comparison on the General Fund and Special Service District Summary reports.
- 2) The First Quarter Report reviews year-to-date financial activities for the funds and activities listed on the attached table of contents.
- 3) The amended budgets shown herein do not reflect the roll-forward of fiscal 2004 encumbrances.
- 4) Items noted during the review include the following:

General Fund M&O

- ? The General Fund received revenues of \$10.2 million during the first quarter of 2005 or 9.56% of budgeted revenues. General property taxes of \$4.8 million were received in the first quarter. General property taxes are the fund's main revenue source constituting 74% of the budget; however, this revenue is not received steadily throughout the year. First quarter collections of tax digest-based revenues were approximately \$1 million under prior year levels.
- ? Expenditures are paid more evenly throughout the year, and over \$23 million in expenditures were incurred in the first quarter. This timing mismatch between revenues and expenditures created a cash flow drain on the County's General Fund during the first quarter and required interfund borrowing from Sales Tax III of \$9 million.
- ? Local option sales tax collections were approximately 27% of budget, reflecting continued strength in the local economy.
- ? Recreation revenues were strong at 30% of budget. While some of this activity may be seasonal, recreation revenues were still \$30,000 above first quarter 2004 numbers.

Animal control revenues were 34% of budget. Housing prisoner billings were below budget; however, there is a timing lag in the billing of these revenues which may even out as the year proceeds.

- ? Notations have been made on the report regarding departmental variances. Payments for annual maintenance contracts skewed the quarterly number for ICS and Communications, but activities should level out as the year progresses. The Temporary Labor pool is already at 41% of budget; however, use of the pool can be terminated when funds run out.
- ? The potential impact of high fuel costs and recently announced utility increases should not be ignored. Finance will be monitoring these costs throughout the year to assess their budgetary impact. Some work has already been done on this in relation to the police functions, and that information is provided to the County Manager under a separate memorandum.

Special Service District (SSD)

- ? The SSD is also impacted by the timing difference between the receipt of general property tax revenues and payment of quarterly expenditures. In the first quarter the SSD overall showed revenues of \$1.7 million and expenditures of \$4 million. However, the fund's cash balances remained positive and interest earnings were above quarterly budgeted amounts.
- ? Strong numbers continued in the intangible recording tax collected by the Clerk of Superior Court. Real estate transfer taxes, franchise taxes and selective sales and use taxes were also above quarterly budgeted figures.
- ? The SSD fund's revenue picture looks different from prior years since building permits and MPC fees have been moved from this fund to the new enterprise fund, Building Safety and Regulatory Fund.
- ? Records Court revenues were 28% of budget, continuing last year's trend of positive revenue growth for that court.

Street Lighting Fund

- ? Revenues of this fund are also dependent on the timing of general property tax billings and collections. Street Lighting is billed on the November instalment.

Confiscated Revenue Fund

- ? CNT received a \$102,194 deposit from the State in September related to confiscated assets.

Multiple Grant Fund

- ? Quarterly grant drawdowns should eventually offset the difference between fund revenues and expenditures.

Hotel/Motel Tax Fund

- ? Hotels and motels have until the 20th of each month to remit their tax returns and checks to the County. This report only reflects two months of activity since July's cash receipts (June returns) were accrued back to fiscal 2004.

Henderson Golf Club

- ? Revenues are lagging expenditures in this fund, and the Board approved a loan for Henderson's operations last month to assist the service provider with cash flow needs.

Building Safety & Regulatory Fund

- ? While building permit revenues appear low at first glance, the fiscal 2004 number for the first quarter was \$91,391 compared to \$87,773 for the current quarter. This is not a substantial variation over the annual period, but staff will continue to watch trends in this area.

Health Insurance Fund

- ? Higher administrative costs are a result of the contract renewal at the beginning of the fiscal year. Medical claims costs are currently averaging less than prior year numbers.

FUNDING:

N/A

POLICY ANALYSIS: Interim financial reports provide revenue and budgetary oversight by comparing actual receipts or expenditures against budgeted amounts.

ALTERNATIVES:

N/A

RECOMMENDATIONS:

For information only.

=====

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, Commissioner McMasters has pulled Item 12-C. I'll entertain a motion to approve the balance of the Action Calendar. Commissioner Rayno said, motion to approve. 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 Rivers and Kicklighter were not present when this vote was taken.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Rayno moved to approve Items 1 through 12-B of the Action Calendar. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Kicklighter were not present when this vote was taken.]

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

=====

1. APPROVAL OF THE MINUTES FOR THE PRE-MEETING AND REGULAR MEETING OF OCTOBER 22, 2004, AS MAILED.

ACTION OF THE BOARD:

Commissioner Rayno moved to approve the minutes for the pre-meeting and regular meeting of October 22, 2004, as mailed. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Kicklighter were not present when this vote was taken.]

=====

2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD OCTOBER 14 THROUGH OCTOBER 27, 2004.

ACTION OF THE BOARD:

Commissioner Rayno moved that the Finance Director is authorized to pay claims for the period October 14, 2004, through October 27, 2004, in the amount of \$2,224,846. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Kicklighter were not present when this vote was taken.]

=====

3. REQUEST BOARD APPROVE THE 2005 HOLIDAY SCHEDULE.

ACTION OF THE BOARD:

Commissioner Rayno moved to approve the following 2005 holiday schedule: New Year's Day (observed) - January 3, Martin Luther King, Jr. Day - January 17, George Washington's Birthday (President's Day) - February 21, Memorial Day - May 30, Independence Day - July 4, Labor Day - September 5, Veterans Day - November 11, Thanksgiving Day (two days) - November 24 and 25, Christmas Eve (observed) - December 23, and Christmas Day (observed) - December 26. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Kicklighter were not present when this vote was taken.]

=====

- 4. **REQUEST BOARD APPROVE AN REQUEST FOR EARLY ACQUISITION FROM MR. AND MRS. WILLIAM JACKSON AT 1302 GRACE DRIVE DUE TO THE WHITFIELD WIDENING PROJECT.
[DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Rayno moved to approve a request for early acquisition from Mr. and Mrs. William Jackson at 1302 Grace Drive due to the Whitfield Avenue Widening Project. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Kicklighter were not present when this vote was taken.]

=====

- 5. **REQUEST FROM THOMAS & HUTTON, ENGINEER FOR THE DEVELOPER, GENESIS DESIGNER HOMES, TO INITIATE THE WARRANTY PERIOD FOR THE ENCLAVE SUBDIVISION, PHASE 1A, AND ACCEPT THE FINANCIAL GUARANTEE.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Rayno moved to approve a request from Thomas & Hutton, Engineer for the developer, Genesis Designer Homes, to initiate the warranty period for The Enclave Subdivision, and accept the financial guarantee. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Kicklighter were not present when this vote was taken.]

=====

- 6. **REQUEST FROM THOMAS & HUTTON, ENGINEER FOR THE DEVELOPER, GENESIS DESIGNER HOMES, TO RECORD THE SUBDIVISION PLAT FOR THE ENCLAVE SUBDIVISION, PHASE 1B, INITIATE THE WARRANTY PERIOD AND WAIVE THE REQUIREMENT FOR A STREETLIGHT ASSESSMENT DISTRICT.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Rayno moved to approve a request from Thomas & Hutton, engineer for the developer Genesis Designer Homes, to record the subdivision plat for The Enclave Subdivision, Phase 1B, initiate the warranty period and waive the requirement for a streetlight assessment district. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Kicklighter were not present when this vote was taken.]

=====

- 7. **REQUEST FROM HUSSEY, GAY, BELL AND DEYOUNG, ENGINEER FOR THE DEVELOPER, CIRCA PROPERTIES, INC., TO RECORD THE SUBDIVISION PLAT FOR RIVERPOINTE TOWNHOMES, PHASE 2, AND ACCEPT THE FINANCIAL GUARANTEE.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Rayno moved to approve a request from Hussey, Gay, Bell and DeYoung, engineer for the developer, Circa Properties, Inc., to record the subdivision plat for Riverpointe Townhomes, Phase 2, and accept the financial guarantee. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Kicklighter were not present when this vote was taken.]

=====

- 8. **REQUEST BOARD PROVIDE CONCEPTUAL APPROVAL TO APPLY FOR GEORGIA COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING ON BEHALF OF THE ECONOMIC OPPORTUNITY AUTHORITY.**

ACTION OF THE BOARD:

Commissioner Rayno moved to give conceptual approval to apply for Georgia Community Development Block Grant funding of \$500,000 on behalf of the Economic Opportunity Authority. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Kicklighter were not present when this vote was taken.]

=====

- 9. REQUEST BOARD APPROVAL TO TRANSFER SURPLUS K-9 VEHICLE (UNIT 749, 1999 FORD CROWN VICTORIA) TO DEPARTMENT OF PUBLIC SAFETY (ATLANTA) EXCESS PROPERTY AND NEW VEHICLE (NEW UNIT 749, 2005 FORD CROWN VICTORIA) TO THE CHATHAM COUNTY SHERIFF'S DEPARTMENT.**

ACTION OF THE BOARD:

Commissioner Rayno moved to transfer a surplus K-9 vehicle and title (Unit 749, 1999 Ford Crown Victoria, Serial #2FAFP71W9XX204542) to the Department of Public Safety Excess Property (Atlanta) and a new vehicle (New Unit 749, 2005 Ford Crown Victoria, Serial #2FAFP71WX5X112367) to the Chatham County Sheriff's Department. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Kicklighter were not present when this vote was taken.]

=====

- 10. REQUEST BOARD APPROVE THE UPDATED TRAVEL POLICY WITH AN IMPLEMENTATION DATE OF JANUARY 1, 2005.**

ACTION OF THE BOARD:

Commissioner Rayno moved to approve the updated travel policy with an implementation date of January 1, 2005. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: X-10
AGENDA DATE: November 5, 2004

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Linda Cramer, Finance Director

ISSUE:

To request approval of the updated Travel Policy with an implementation date of January 1, 2005.

FACTS AND FINDINGS:

- 1) The Travel Policy was last updated and approved by the County Commission on February 20, 1998.
- 2) The Travel Policy has been rewritten to follow the format of other financial policies adopted by the County Commission during the FY05 budget. Forms have been streamlined to be more 'user' friendly.
- 3) The mileage reimbursement rate has been increased from \$0.31 per mile to \$0.33 per mile. The IRS currently allows a reimbursement rate of \$0.375 and the State of Georgia \$0.28.
- 4) Reimbursement for meals and incidentals will follow the per diem rates within IRS Publication 1542. The international per diem rate is set at the Atlanta per diem rate.
- 5) Meals will be prorated with breakfast at 20%, lunch at 30% and dinner at 50% of the per diem.

FUNDING:

Each department is responsible for funding travel related activities from their approved budget.

ALTERNATIVES:

- 1) That the Board approve the updated Travel Policy as presented; or
- 2) That the Board deny approval and provide other direction.

POLICY ANALYSIS:

The Board has the authority to set policies for the internal operations of the County.

RECOMMENDATION:

That the Board approve Alternative 1.

Prepared by: Cheryl N. Deariso

CHATHAM COUNTY, GEORGIA TRAVEL POLICY

I. General

Participation by County personnel in travel and training activities represents a significant cost to the taxpayers of Chatham County. This policy is intended to set forth the conditions and limitations of authorized travel and guide management in their control over available travel funds.

II. Definitions

Authorized Travel - includes attendance at occasions of State, institutes, conferences, meetings, training sessions and any other such business or professional/educational travel as approved by the Department Head. The following is a partial list of authorized travel events:

- A. Travel required to maintain or obtain financing for ongoing or newly approved programs, e.g. federal or state grants, etc.
- B. Travel required to recruit personnel for key vacancies. Vacancies appropriate for inclusion under this category are department heads and their immediate subordinates.
- C. Travel required by federal, state or other legal body for the purpose of testimony as a representative of Chatham County.
- D. Travel required for the planning and completion of newly approved or ongoing capital construction project or a significant capital investment, e.g. site visits, meeting with architects, etc.
- E. Travel and related costs for training of employees where such training is required for job performance and/or professional certification, e.g. basic police training, property appraiser's courses, special EDP programming and systems courses, etc.
- F. Travel ordered by the courts, such as transporting of prisoners, evidence, etc.
- G. Travel to attend official governmental functions and occasions of state.
- H. Travel involving essential contacts or significant information that is important to improved operations of the department.

Department Head - a person appointed by the County Manager to manage departmental operations or an elected official whose responsibilities include management of a County department.

III. Scope and Purpose of Policy

This document sets forth the policies of the Chatham County Commissioners relative to the participation by County personnel in county-funded professional, business and educational travel. Chatham County will pay for necessary and authorized transportation and related expenses for travel and training of its staff on official County business in accordance with the guidelines set forth in this document.

IV. Delegation of Authority/Assignment of Duties

The County Manager shall adopt such procedures and forms as are necessary to implement and administer these policies and guidelines. The Finance Director shall administer the policy.

All Department Heads or their appointed designee who have, or expect to have, members of their staff travel at County expense shall thoroughly familiarize themselves with the provisions of this policy and cooperate fully in the continued stewardship of the taxpayer's money. All official travel by County employees requires the pre-approval of the employee's Department Head. *It is incumbent upon each department head to ensure that each staff member that travels is familiar with this policy prior to making any travel arrangements.*

Departmental travel budgets are approved during the County budget process by the County Board of Commissioners. Department Heads must assure that the department remains within its budgeted travel allocation for the year.

County staff shall follow the provisions of this policy.

V. Travel Advances

Prior to any official travel, County personnel shall complete a Travel and Training Advance Form ("Advance"). This form should reflect the entire budgeted amount of the travel or training event including costs for transportation, lodging, registration, and meals & incidentals. The Advance requires the pre-approval of the Department Head. Advances should reflect a reasonable estimate of actual costs. Advance amounts for meals & incidentals are limited to a per diem rate as noted in Appendix A.

No Advance may be issued if:

1. There are unsettled Advances from the same department.
2. The trip is unbudgeted and/or there are no funds available in the departmental travel budget.

VI. Travel under State/Federal Grants

Advances for employee attendance at activities reimbursable by the State or Federal government are authorized at rates applicable under such programs. Requests for such Advances must be accompanied by official documentation of the reimbursing agency illustrating the exact rates upon which reimbursement shall be based.

All reimbursement checks for such travel must be made payable to the Chatham County Commissioners and mailed to them c/o the Finance Director, P.O. Box 9297, Savannah, Georgia 31412.

VII. Travel Expense Reports and Settlement of Advances

Any personnel receiving an Advance shall be required to submit a Travel Expense Report with receipts, as required, and remit the unused portion of the advance within five days after return from the conference or meeting.

Upon receipt of the Travel Expense Report, Finance shall review the report for conformance with policy. Finance will either accept the balance owed to the County or reimburse the traveler for expenses incurred above the advance amount in accordance with the provisions of this policy. It shall be the responsibility of the Department Head to approve all Travel Expense Reports turned in by their employees as being in accordance with these regulations and to ensure that Travel Expense Reports are submitted in a timely manner.

The Travel Expense Report must be in the name of the person who received the original travel advance. If the designated employee in whose name the Travel Advance is issued can not attend the conference, the Travel Advance check is not transferable between employees and must be returned to the Finance Department accordingly.

Only those reimbursable travel related expenses supported by receipt will be reimbursed or paid for by the County. Unsupported expenses must be paid for by the employee. No receipts are required for meals & incidentals since per diem rates apply. The County will not pay for expenses of non-County personnel (such as family members) who accompany County personnel on authorized travel. County staff should only claim reimbursement for his/her own individual expenses and should maintain records reflecting those expenses.

County personnel may be authorized necessary and reasonable expenses and leave time for travel prior to and following the business, educational, or professional meeting attended. Travel time shall be determined by the most direct route. All time caused by detours for convenience must be approved by the Department Head and shall be charged against annual leave. Any related additional expenses caused by such a detour will not be paid by the County.

Departments that receive federal, state or other types of reimbursement for travel may need to establish more restrictive travel parameters in order to facilitate travel needs and guarantee reimbursement. In such a situation, the Department Head will need to communicate these parameters to Finance so that the proper reimbursement rates may be applied.

The following reimbursement policies are intended to set forth general standards:

- A. Airlines - Coach accommodations shall be the standard mode of travel. Employees shall be responsible for procuring the lowest fare.
- B. Railroad - First class accommodations shall be standard and shall include lower berth or roomette in case of overnight travel.
- C. Personal Auto - Reimbursement for use of personal automobile in travel will be paid on the basis of up to \$.33 per mile or tourist air fare, whichever is less.
Note: When two to four employees are going to the same activity, only one vehicle may be reimbursed, unless approved by department head.
- D. County Auto - Reimbursement for gas, etc, purchased by an employee during a trip utilizing County vehicles shall be for the actual amount of such purchases. (Receipts required)
- E. Cab and Bus Fare to and from the air or rail terminal shall be reimbursed at actual cost. (Receipt required) Cab or Bus fare required for transportation while at the destination shall be reimbursed at actual cost provided it is necessarily related to the purpose of the trip. (Receipts required)
- F. Parking Fee related to authorized travel will be reimbursed at actual cost. (Receipt required except on meters)
- G. Auto Rental cost will be reimbursed when such travel is necessary to the purpose of the trip and where cab fare exceeds cost of the auto rental.
 - (a) Primary rental car usage, (departing from Savannah), should be procured through the Chatham County Fleet department. Employees in need of auto rental should contact Stuart Chatham or Candace Fee at the Fleet department at 652-7865.
 - (b) Secondary rental car usage, (arriving at destination), can be procured through Enterprise Car Rental or other agencies. Both liability and physical damage insurance coverage should be obtained when renting the vehicle. (Receipt required for reimbursement).
- H. Registration, Tuition, etc. - Employees will be reimbursed for registration of conference fees as authorized. (Receipt or Conference Brochure required) Whenever possible, advance registration should be made using the Advance form.
- I. Lodging - Hotel/Motel accommodations shall be reasonable and shall be reimbursed at actual and necessary cost consistent with facilities available and proximity to the traveler's destination. Where double or multiple occupancy has occurred, the employee or official may claim only the actual and necessary cost of his/her single occupancy. See Appendix A for additional guidelines. (Receipts required). A hotel/motel tax exemption form may be used within the State of Georgia to waive local hotel/motel taxes. To waive Georgia sales and use taxes, County personnel may use a tax exemption form. A County check is also required to ensure the sales and use taxes are waived. These exemption forms are available from Finance.
- J. Meals and Incidentals - Meals and miscellaneous expenses shall be reimbursed in accordance with the per diem schedule set forth in Appendix A. Meals provided in the cost of registration fees must be deducted from per diem as discussed in Appendix A.
- K. Long Distance Telephone Calls - Only station to station calls will be reimbursed and must be documented by receipt. Generally, such calls should be restricted to absolutely necessary business communications. Personal calls are included in the meals & incidentals per diem rate.

Submission of a Travel Expense Report, including receipts and other supportive documentation as outlined in this policy, shall be required as shown below:

1. **Five days** after the completion of the travel, a Travel Expense Report must be submitted to the Finance Department. The unused portion of any travel advance must be returned at that time.
2. Fifteen days **thereafter** Finance will send a formal notification to the Department Head and the employee regarding any travel that is outstanding 20 days after the travel date.
3. Finance may resolve any Advance that remains outstanding by deducting the advance amount in \$100 increments from the employee's paycheck. Employees will be notified about such a course of action in advance.

VIII. Reimbursement for Local Use of Personal Automobile

Department Heads should submit a completed Vehicle Mileage Report to the Finance Department within five (5) working days following the reporting period for each employee authorized to be reimbursed for use of their personal auto on County business.

The Finance Department will review all mileage reports for conformance with the provisions of this policy and the availability of funds. Compliant reports will be processed for payment. Non-compliant reports will be returned to department heads, unpaid, with an explanation.

IX. Effective Date of Policy

The effective date of the Travel Policy will be January 1, 2005.

October 21, 2004

**APPENDIX A
PER DIEM AND MILEAGE RATES**

Per Diem Rates for Meals and Incidentals

Reimbursement for Meals & Incidentals will be in compliance with the per diem rate in IRS Publication 1542 for the specified area not to exceed the maximum per diem rate per day in those areas. The attached publication was current as of the date of this policy. Rates for meals and incidentals will be amended to comply with IRS Publication 1542 as it is amended and updated, per website www.irs.gov. When not traveling for the entire 24-hour day, prorate the standard meal allowance by the percentages below:

Breakfast - 20%
Lunch - 30%
Dinner - 50%

If meals are provided by the conference, a portion of per diem rate will not be an allowable expense. For example, when lunch is provided at the conference, per diem rate will be reduced by 30%.

The international per diem rate is set at the Atlanta per diem rate.

The County pays lodging at the actual rate, not the maximum lodging rate set forth in IRS Publication 1542, and requires receipts for lodging expenses.

As of the date of this policy, the IRS Publication 1542 could be accessed through the "**Search Forms and Publications for:**" section of the www.irs.gov Website.

Personal Vehicle Use Reimbursement:

Mileage - Mileage reimbursement is hereby set at:

Out of town - Lesser of \$.33 per mile or Tourist Air Fare.

Local Usage - up to \$.33 per mile.

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11. REQUEST BOARD APPROVAL TO TEMPORARILY CLOSE BLUFF DRIVE ON ISLE OF HOPE FOR THE 13TH ANNUAL GALA HOSTED BY THE HISTORIC SAVANNAH FOUNDATION ON NOVEMBER 6, 2004, FROM 5:00 P.M. TO 11:00 P.M.

ACTION OF THE BOARD:

Commissioner Rayno moved to temporarily close Bluff Drive on Isle of Hope from Rose Avenue to Thomas Avenue for the 13th Annual Gala hosted by the Historic Savannah Foundation on November 6, 2004, from 5:00 P.M. to 11:00 P.M. Commissioner Rayno moved the motion and it carried unanimously. [NOTE: Commissioners Rivers and Kicklighter were not present when this vote was taken.]

**AGENDA ITEM: X-11
AGENDA DATE: November 5, 2004**

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Allan R. Black, P.E., Assistant County Engineer

ISSUE: To approve a request to temporarily close Bluff Drive on Isle of Hope for an event hosted by the Historic Savannah Foundation on November 6, 2004, from 5 pm to 11pm.

BACKGROUND: The Savannah Historic Foundation is hosting their 13th annual Gala at the Isle of Hope Marina and several residences along Bluff Drive. They will be transporting guests via trolley to and from the event homes and the marina. For the safety of their guests, they are requesting to block off Bluff Drive to through traffic between Rose Avenue and Thomas Avenue.

FACTS AND FINDINGS:

1. The Board approved the Chatham County Policy on Public Requests for Block Party Street Closings on July 9, 1993. The policy requires a hold harmless agreement to be signed by all affected property owners since access to their property will be blocked or at least hindered by the event. The petitioners have submitted the attached petition. The policy also requires the petitioners to notify police, fire and EMS departments of the event and to make necessary arrangements.
2. The section of Bluff Drive to be closed is from Rose Avenue to Thomas Avenue.
3. The needed traffic signs can be obtained from the County Public Works sign shop, provided a deposit is made to guarantee their return. A "Road Closed - Local Traffic Only" sign will be placed on LaRoche Avenue at Cornus Drive and at Parkersburg Road and Rose Avenue to warn motorists of Bluff Drive Closure. In addition, the barricades will be continuously manned by uniformed off-duty police officers to allow for quick emergency access and local traffic.
4. The petitioners are responsible for all clean-up of trash and repairs of accidental damage to the street and rights-of-way. Staff is not recommending that a bond be required in this case.
5. Ms. Laura Lane Smith is the event coordinator for the Historic Savannah Foundation and has been notified of today's meeting.

ALTERNATIVES:

1. That the Board approve the closing of Bluff Drive from Rose Avenue to Thomas Avenue from 5 to 11PM on November 6, 2004, for Savannah Historic Foundation.
2. That the Board not approve the request.

FUNDING: None Required.

POLICY ANALYSIS: That the Board approve requests for street closures.

RECOMMENDATION: That the Board approve Alternative #1.

District 4

PREPARED BY: Tina Bockhold

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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. Construction contract for Raspberry Canal/I-16 Outfall Improvements | Engineering | E & D Contracting, Inc. | \$590,310 | SPLOST (1998-2003) - Raspberry Canal |
| B. Landscape planning and architectural services for the replanting of Mother Mathilda Beasley Park | SPLOST | Wood + Partners | \$14,245 | SPLOST (2003-2008) - Mother Mathilda Beasley Park |
| C. Change Order No. 1 to the contract for Engineering Services for the Central Ave Lift Station for additional services | Water & Sewer | Jordan, Jones & Goulding | \$15,300 | Water & Sewer Enterprise Fund |

As to Items 12-A and 12-B:

Commissioner Rayno moved to approve Items 12-A and 12-B. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Kicklighter were not present when this vote was taken.]

As to Item 12-C:

Change Order No. 1 to the contract for Engineering Services for the Central Ave. Lift Station for additional services; Water & Sewer; Jordan, Jones & Goulding; \$15,300; Water & Sewer Enterprise Fund.

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, first I want —, I'd like to know if this award to Jordan, Jones & Goulding was the lowest responsible bidder for professional services. Chairman Hair asked, are you talking about the original? This is a change order. Commissioner McMasters said, I understand that. The original.

Chairman Hair recognized Mr. Robert Drewry.

Mr. Drewry said, good morning. The original contract with JJ&G was through the QBF process. Commissioner McMasters said, I'm sorry —. Mr. Drewry said, qualified bidding —, RPF. Excuse me, RFP process. Commissioner McMasters asked, so this is not lowest responsible bidder? Mr. Drewry said, no sir, as far as —, yeah, that's correct. Commissioner McMasters asked, so we were not bound to take lowest responsible bidder? Mr. Drewry said, that's correct. Commissioner McMasters said, okay. Is Jordan, Jones & Goulding a Savannah company? Mr. Drewry said, yes sir, they have a local office. Commissioner McMasters said, okay. I just want to point out that the original contract was awarded at \$74,300 on 12/5/03 and this is Change Order No. 1, which is a 20% increase in the original job. So that is bringing a job that we —, the taxpayers originally thought was a \$74,300 job, it's now a \$89,600 job. Thank you.

Chairman Hair said, okay. Do we have a motion and second? The Clerk said, no sir. Chairman Hair said, I need 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. Chairman Hair and Commissioners Rivers, McMasters, Odell, Gellatly, 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 Kicklighter was not present when this vote was taken.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

1. Commissioner Rayno moved to approve Items 12-A and 12-B. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Rivers and Kicklighter were not present when this vote was taken.]
2. Commissioner Murray moved to approve Item 12-C. Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Rivers, McMasters, Odell, Gellatly, 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 Kicklighter was not present when this vote was taken.]

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XI. FIRST READINGS

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

None.

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XII. SECOND READINGS

1. **THE PETITIONER, HAL EVANS, EM COMMERCIAL, LLC, AGENT (FOR KERN-COLEMAN AND COMPANY, OWNER), IS REQUESTING REZONING 5616 OGEECHEE ROAD FROM R-A (RESIDENTIAL-AGRICULTURE) AND P-B (PLANNED BUSINESS) ZONING CLASSIFICATIONS TO A P-B (PLANNED BUSINESS) ZONING CLASSIFICATION. THE MPC RECOMMENDED DENIAL OF A P-B CLASSIFICATION BUT FURTHER RECOMMENDED APPROVAL OF AN ALTERNATE P-B-N (PLANNED NEIGHBORHOOD-BUSINESS) CLASSIFICATION.**

**MPC FILE NO. Z-040818-34882-1-1
[DISTRICTS 5 and 8.]**

Chairman Hair read this item into the record.

Ms. Charlotte Moore said, this property is located on Ogeechee Road. Currently there are nine acres within this tract. A portion is already zoned P-B, Planned Business. That allows anything from a greenhouse and office building to a church to an adult entertainment establishment. They only requested that a portion of it be rezoned. That portion is R-A, Residential-Agricultural, and the intent is to develop a self-storage mini-warehouse on this property. The property is surrounded by some R-A property. We did send notices out to all property owners within 200 feet and did not get any response at all. MPC's recommending a rezoning to P-B-N, Planned Neighborhood-Business, for the entire tract. That would mean a down-zoning of the property that is P-B and an up-zoning of the R-A portion to P-B-N. The particular district allows commercial uses, but it doesn't allow the more heavy commercial or industrial-like uses that the P-B district would. So they are recommending the P-B-N district.

Chairman Hair said, I assume, sir, you want to speak on this issue. A gentleman in the audience said, well, if I need to. Chairman Hair said, okay. I don't think so. Any questions, anybody have any questions? Commissioner McMasters said, I have a question. Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, Charlotte [Moore], can you briefly tell us —, I notice that two members voted against this on the Metropolitan Planning Commission, Melissa Jest and J. P. Jones. Do you remember what their reservations were? Ms. Moore said, no sir, I do not. This was from September 8th. I don't recall. Commissioner McMasters said, you don't recall. And I notice not everyone was there to vote for it. Ms. Stone was absent so you only have these two and you don't know what their reservations were.

Chairman Hair said, well, I think we can get —, do you have the answer to the reservations? Come forward and answer —, see if you can answer Commissioner McMasters. State your name for the record, sir.

Mr. Hal Evans said, Hal Evans. One reservation —, what's the older gentleman's name? Ms. Moore said, Mr. Jones. Mr. Evans said, — Mr. Jones. He was talking about how they had base closings over in Beaufort and he said that he —, you know, what if the base closures came over here, that the only people that ever use the mini-storage were people that were in the military, which is totally false anyway. Businesses are —, I have one also in Jesup and the businesses are a major player —, renter of the things plus all the homes that are going out there on Cottonvale Road and Southbridge and Stonebridge, but that was his reservation. He said he thought that, you know, if they closed then we'd be using all the land up and there wouldn't be any place to use these buildings, or something like that. Then the other lady said she just didn't like storage places.

Commissioner McMasters asked, did she express some concern about, for instance, the storage facility that was recently approved in Sandfly, just that they're sort of space holders for property until a higher and greater use for the property can come around? Mr. Evans said, no. The only —, first the lady said that she just didn't like them and the other guy was his thing about the military. Chairman Hair said, okay. That answer your —? Commissioner McMasters said, thank you.

Chairman Hair said, okay. I'll entertain a motion to approve. Commissioner Thomas said, move for approval. Commissioner Odell said, I'll move for approval. Chairman Hair asked, second? Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, McMasters, Odell, Gellatly 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 Kicklighter was not present when this vote was taken.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Thomas moved to **deny** the petition of Hal Evans, EMC Commercial, LLC, Agent (for Kern-Coleman and Company, Owner), requesting rezoning 5616 Ogeechee Road from R-A (Residential-Agriculture) and P-B (Planned-Business zoning classifications to a P-B (Planned Business) zoning classification, as requested, but to **approve** an alternate P-B-N (Planned Neighborhood-Business) zoning classification. Commissioner Odell seconded the motion. Commissioner Murray moved to approve Item 12-C. Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Rivers, McMasters, Odell, Gellatly, 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 Kicklighter was not present when this vote was taken.]

AGENDA ITEM: XII-1

DATE: November 5, 2004

TO: BOARD OF COMMISSIONERS

THRU: R. E. ABOLT, COUNTY MANAGER

FROM: THOMAS L. THOMSON, EXECUTIVE DIRECTOR

LEGAL NOTICE/AGENDA HEADING:

The petitioner, Hal Evans, EM Commercial, LLC, Agent, (for Kern-Coleman and Company, Owner), is requesting rezoning 5616 Ogeechee Road from an R-A (Residential-Agriculture) and P-B (Planned Business) zoning classifications to a P-B (Planned Business) zoning classification. The MPC recommended DENIAL of a P-B classification but further recommended APPROVAL of an alternate P-B-N (Planned Neighborhood-Business) classification. MPC File No. Z-040818-34882-1-1.

ISSUE:

The rezoning of a 5.43 acre portion of a 9.0 acre tract of land from an R-A (Residential-Agriculture) zoning classification to a P-B (Planned Business) zoning classification.

BACKGROUND:

The subject property is located in southwest Chatham County, on the north side of Ogeechee Road approximately 400 feet west of its intersection with Silk Hope Road. The petitioned area was rezoned from an A-T (Agriculture-Tourist) classification to its present R-A classification in conjunction with the Chatham County Comprehensive Zoning Study on September 13, 1985. The eastern portion of the 9.0 acre tract fronting on Ogeechee Road was rezoned from A-T and R-A classifications to its present P-B classification on October 11, 1985. With the exception of a telecommunications tower that is located in the middle of the tract, the site is undeveloped.

The most recent rezoning of properties in the general area are: 1) a 6.5 acre tract of land approximately 500 feet south of the petitioned site from an R-A classification to a P-A-T (Planned Agriculture-Tourist) classification on June 13, 1997; and, 2) a 10 acre tract of land approximately 2,000 feet north of the petitioned site from an R-A classification to a P-B-C (Planned Community Business) classification on September 25, 1998. With the exception of these areas, the zoning within the general vicinity has remained unchanged the past 15 years.

FACTS AND FINDINGS:

1. **General Vicinity:** The development within the immediate vicinity includes motels, manufactured home and shed sales, light industrial uses, a shopping center, and single family residential. There has been minimal change in the development pattern of this area in the past few decades. However, growth in the southwest portion of Chatham County (including the development of Berwick Plantation, which is approximately .25 miles to the south) and improvements to Highway 17 have spurred new development in the area.

The land uses and zoning districts surrounding the subject property include:

| <u>Location</u> | <u>Land Use</u> | <u>Zoning</u> |
|-----------------|--|---------------|
| North | Vacant Land Single Family Residential | R-A |
| South | Vacant Land Mobile Homes | R-A |
| East | Vacant Land | P-B |
| West | Vacant Land | R-A |

2. **Proposed Development:** The petitioner seeks to rezone the site for the purpose of constructing a self-storage mini-warehouse complex. The petitioner has submitted a concept plan that shows the layout of the warehouse complex. The majority of the development is located within the portion of the site that is presently zoned P-B. The development extends approximately 160 feet into the portion of the site that is zoned R-A. The petitioner seeks to rezone a 5.43 acre portion of the site to accommodate the western portion of the warehouse complex as well as to create a 3.6 acre commercial site to accommodate undefined future development.

3. **Existing R-A Zoning District:**

a. **Intent of the R-A District:** According to the Zoning Ordinance, the purpose of the R-A district is to “protect those rural areas within the urban expansion areas of the county for future urban development, and to protect certain rural highway roadside areas against strip development which can lead to traffic congestion, traffic hazards, and roadside blight.”

- b. **Allowed Uses:** The uses allowed within the R-A district appear in the attached chart.
 - c. **Development Standards:** The development standards for the R-A district appear in the attached table (Table 1).
4. **Proposed P-B Zoning District:**
 - a. **Intent of the P-B District:** According to the Zoning Ordinance, the purpose of the P-B district is to “create and protect areas in which heavy commercial and certain industrial-like activities are permitted.”
 - b. **Allowed Uses:** The uses allowed within the P-B district appear in the attached chart.
 - c. **Development Standards:** The development standards for the P-B district appear in the attached table (Table 1).
5. **Land Use Element:** The Chatham County Comprehensive Plan Future Land Use Map designates the subject property as Single Family Residential. However, because a portion of the property is zoned for commercial use, this classification should be changed to Retail / Office / Commercial.
6. **Transportation Network:** The eastern 3.57 acre portion of the site that is presently zoned P-B is accessed by Ogeechee Road, an existing paved public street with a varied right-of-way. There is an existing 60 foot private vehicular access and utility easement extending from Ogeechee Road through an adjacent panhandle lot. The 100 foot wide panhandle portion of the adjacent lot extends to the western lot line of the subject site. The existing access easement provides ingress/egress to the telecommunications tower site.

According to Street Classification Map Number 1 of the Chatham County Zoning Ordinance, Ogeechee Road is classified as a major arterial street. The 2002 Average Daily Traffic count for Ogeechee Road between Dean Forest Road and Quacco Road was 15,900 vehicles. The section of Ogeechee Road from Dean Forest Road to Abercorn Street is presently under construction to improve the road to a four lane facility. The project is nearly complete.
7. **Public Services and Facilities:** The property is served by the Southside Fire Department and the Savannah - Chatham County Metropolitan Police Department. The site will be developed with a private well and individual on-lot septic tank system. The City of Savannah and Consolidated Utilities water and sewer and sanitary sewer systems are in close proximity to the site. However, neither entity has existing lines that can serve the site.
8. The parent tract has dual zoning classifications that vary in intent and the uses allowed. The R-A district allows residential uses (single family detached dwellings, duplexes, and manufactured homes) as well as a limited number of non-residential uses including cemeteries, agricultural activities, religious institutions, and child care centers. In comparison, the P-B district is a commercial district that allows a broad range of uses that range from greenhouses, offices, religious institutions, motels, grocery stores, cocktail lounges, vehicle and boat sales, prefabricated structure sales, warehousing, and truck terminals. A single zoning classification for the parent tract would promote consistency with regard to the type of development and the development standards.
9. Because the immediate vicinity consists of residential and commercial uses, a less intensive commercial classification than the P-B district would be appropriate. The B-N (Neighborhood Business) district is an alternative that would allow the petitioner to develop the proposed uses and to have the option to develop the property for other types of commercial uses such as offices, department stores, and restaurants. However, it would preclude the more intensive uses allowed by the P-B district.
10. Any development of the property would require site plan review by the MPC because of its location on an arterial roadway. However, if the property is rezoned, “P” designation would make the site plan requirement more apparent to the public. A “P” district is intended to “provide areas within which comprehensive development plans shall be prepared for review by the MPC or MPC staff in order to secure an orderly development pattern. Such districts are considered overlay districts and the uses permitted in such districts are those uses permitted in the zoning district which they overlay.”

SUMMARY OF FINDINGS

1. Will the proposed zoning district permit uses that would create traffic volumes, noise level, odor, airborne particulate matter, visual blight, reduce light or increased density of development that would adversely impact the livability or quality of life in the surrounding neighborhood?
Yes___ No X
2. Will the proposed zoning district permit uses that would adversely impact adjacent and nearby properties by rendering such properties less desirable and therefore less marketable for the type of development permitted under the current zoning?
Yes___ No X
3. Will the proposed zoning district permit uses that would generate a type or mix of vehicular traffic on a street or highway that is incompatible with the type of land use development along such street or highway?
Yes___ No X
4. Will the proposed zoning district permit uses that would generate greater traffic volumes at vehicular access points and cross streets than is generated by uses permitted under the current zoning district to the detriment of maintaining acceptable or current volume capacity (V/C) ratio for the streets that provide vehicular access to the proposed zoning district and adjacent and nearby properties?
Yes___ No X
5. Will the proposed zoning district permit uses or scale of development that would require a greater level of public services such as drainage facilities, utilities, or safety services above that required for uses permitted under the current zoning district such that the provision of these services will create financial burden to the public?
Yes___ No X
6. Will the proposed zoning district permit uses or scale of development that would adversely impact the improvement or development of adjacent and nearby properties in accordance with existing zoning regulations and development controls deemed necessary to maintain the stability and livability of the surrounding neighborhood?
Yes___ No X
7. Will the proposed zoning district permit development that is inconsistent with the comprehensive land use plan?
Yes X No___

ALTERNATIVES:

1. Approve the petitioner's request to rezone the property from an R-A classification to a P-B classification.
2. Approve an alternate P-B-N zoning district.
3. Deny the petitioner's request.

POLICY ANALYSIS:

The proposed P-B classification would allow an intensive commercial zoning district to be located adjacent to residential uses. An alternate P-B-N classification would be more compatible for the area.

RECOMMENDATION: The MPC and Director of Building Safety and Regulatory Services recommend **DENIAL** of the request to rezone a portion of the parent tract from an R-A (Residential Agriculture) classification to a P-B (Planned Business) classification but further recommend **APPROVAL** of an alternate zoning classification to rezone the parent tract from R-A and P-B classifications to a P-B-N (Planned Neighborhood Business) classification. **APPROVAL** of a change of the Future Land Use Map designation from Single Family Residential to Retail / Office / Commercial.

PREPARED BY: Charlotte Moore, AICP, Director
Development Services

September 24, 2004

Gregori Anderson, Director
BUILDING SAFETY AND REGULATORY SERVICES

DATE: SEPTEMBER 21, 2004
TO: CHATHAM COUNTY COMMISSION
FROM METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC ZONING RECOMMENDATION

PETITION REFERENCED:

Hal Evans, EM Commercial, LLC, Agent
(for Kern-Coleman and Company, Owners)
MPC File No. Z-040818-34882-1

MPC ACTION: Approval of a P-B-N Designation
Denial of a P-B Designation

MPC STAFF RECOMMENDATION: Approval of a P-B-N Designation
Denial of a P-B Designation

MEMBERS PRESENT: 10 + Chairman

Timothy Mackey, Chairman
Robert L. Ray, Treasurer
Michael Brown
John P. Jones
Walker McCumber
Freddie B. Patrick
Lacy A. Manigault, Secretary
Russell Abolt
Melissa Jest
Stephen R. Lufburrow
Lee Meyer

| <u>VOTING FOR MOTION</u> | <u>VOTING AGAINST MOTION</u> | <u>*ABSENT OR **FAILING TO VOTE</u> |
|---------------------------------|-------------------------------------|--|
| Michael Brown | John P. Jones | None |
| Russ Abolt | Melissa Jest | |
| Lacy A. Manigault | | |
| Stephen R. Lufburrow | | |
| Walker McCumber | | |
| Lee Meyers | | |
| Freddie B. Patrick | | |
| Robert Ray | | |

FOR APPROVAL: 8 **FOR DENIAL:** 2 **ABSTAINING:** 0

Respectfully submitted,

/s/ Thomas L. Thomson

Thomas L. Thomson
Executive Director

/bhs

Enclosure

Petition of Hal Evans, EM Commercial, LLC, Agent

(for Kern-Coleman and Company, Owners)
 MPC File No. Z-040818-34882-1

MPC recommends that the following described property be rezoned from its present R-A (Residential-Agriculture) and P-B (Planned Business) zoning classifications to a P-B-N (Planned Neighborhood-Business) classification.

LEGAL DESCRIPTION

Beginning at a point located on the centerline of U S Hwy 17 approximately 600 feet south of its intersection with the centerline of Derrick Inn Road, thence proceeding in a southerly direction along the centerline of U S Hwy 17 a distance of approximately 190 feet to a point, thence proceeding in a northwesterly direction along a line North 39 degrees 55 minutes West for a distance of approximately 1290 feet to a point, thence northeasterly along a line parallel to the centerline of U S Hwy 17 a distance of approximately 370 feet to a point; thence proceeding in a southerly direction along a line South 39 degrees 55 minutes East for a distance of approximately 950 feet to a point, thence southwesterly along a line parallel to the centerline of U S Hwy17 a distance of approximately 200 feet to a point, thence southerly along a line South 39 degrees 55 minutes East back to the point of beginning.

The property is further identified by Property Identification Number as follows:

P.I.N.: 1-0991 -01-008A

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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:

A written report was 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.

AGENDA ITEM: XIII-2
DATE: October 22, 2004

List of Purchasing Items between \$2,500 and \$9,999
 That Do Not Require Board Approval

| ITEM | DEPT. | SOURCE | AMOUNT | FUNDING |
|--|------------------------|---|---------------|-----------------------------------|
| Annual Maintenance on HVAC at the Administrative Annex | Police Department | McDevitt Air | \$3,480 | SSD - Police Department |
| Annual Ductline Rental | I.C.S. | Savannah Electric & Power Co. | \$2,500 | General Fund/M&O - Communications |
| Application of silt fence at Thomas Ave Landfill | Solid Waste Management | Coastal Grass & Landscaping, Inc. | \$5,400 | Solid Waste Management |
| Miscellaneous grinder parts (The Beast Grinder) | Solid Waste Management | All American Grinding Equipment (Sole source) | \$7,238 | Solid Waste Management |

| ITEM | DEPT. | SOURCE | AMOUNT | FUNDING |
|--|-------------------------------------|---------------------------------------|---------------|---|
| One (1) laptop computer | I.C.S. | Dell Marketing, L.P. | \$3,455 | General Fund/M&O - Mosquito Control |
| Eight (8) file cabinets | Superior Court Clerk | VIP (WBE) | \$4,398 | Bond Fund - Record Storage Facility |
| 120 gallons of Aqua Neat Herbicides | Public Works and Park Services | Red River Specialties Inc. | \$2,550 | SSD - Public Works |
| Miscellaneous office furniture | Juvenile Court | Miller's of Savannah | \$9,095 | General Fund/M&O - Juvenile Court |
| 1200 - 8" Deputy Sheriff bear in traditional Chatham County Sheriff's Uniform (DARE Program) | Sheriff Department | Art's Toys Manufacturing Co., Inc. | \$3,480 | General Fund/M&O - 50% Drug Surcharge |
| Sheetmetal Tool | Mosquito Control | Aircraft Tool Supply Co., Inc. | \$2,925 | General Fund/M&O - Mosquito Control |
| 800 gallons of field marking paint | Public Works and Park Services | Regal Color Center, Inc. | \$3,758 | General Fund/M&O - Recreation Department |
| Fire alarm and smoke detector cleaning and maintenance | Facilities Maintenance & Operations | Southeastern System Technologies | \$4,918 | General Fund/M&O - Facilities Maintenance & Operations |
| Consulting Services to implement Mapping and Novalis upgrades | Assessor | ESRI | \$4,810 | General Fund/M&O - Assessor |
| Vibration and crack monitoring on Stephenson Avenue Widening Project | SPLOST | W.P.C. | \$7,000 | SPLOST (1985-1993) - Stephenson Avenue Widening Project |
| Proposal for Geotechnical exploration and evaluation on the Hutchinson Island West Ramp | SPLOST | W.P.C. | \$9,900 | SPLOST (1985-1993) - Talmadge/Hutchinson Island |
| Removal of tree hazards | SPLOST | R. B. Baker Construction, Inc. | \$5,000 | SPLOST (1985-1993) - Truman Parkway Phase III |
| Cutting and clearing at SR307 | SPLOST | T Clearing | \$4,420 | SPLOST (1998-2003) - Hardin Canal |
| Geotechnical exploration at Highway 80 and Conaway Road | SPLOST | B.P. Barber & Associates, Inc. | \$3,850 | SPLOST (1998-2003) - Conway Branch Canal |
| Right of entry and temporary license for Maintenance Agreement for Sugarland Properties | SPLOST | W. J. Pope/- Sugarland Properties LLC | \$2,635 | SPLOST (1998-2003) - Halycon Bluff - Row |

| ITEM | DEPT. | SOURCE | AMOUNT | FUNDING |
|--|--------------|--------------------------|---------------|---|
| Two (2) power edge 2850 Intel Xeon servers | SPLOST | Dell Marketing, L.P. | \$4,913 | SPLOST (1998-2003) - Library Technology Equipment |
| Provide reinforced concrete wingwalls to existing box culvert at Grove Point Road, tailgate structure to control road and maintain stability | SPLOST | Shaw Environmental, Inc. | \$6,500 | SPLOST (1998-2003) - Fawcett Canal |

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EXECUTIVE SESSION

Upon motion being made by Commissioner Rivers, seconded by Commissioner Thomas and unanimously approved, the Board recessed at 10:55 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 11:13 a.m.

Chairman Hair said, for the record there were no votes taken in Executive Session.

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ITEMS FROM EXECUTIVE SESSION

1. LEGISLATIVE LIAISON.

Chairman Hair said, I will first call on Commissioner Rivers to make a motion concerning the solicitation of a Legislative Liaison.

County Attorney Hart said, Mr. Chairman, before Commissioner Rivers makes his motion, could we have a motion from someone asking that this matter be taken up by the Board of Commissioners under the Purchasing Procedure Ordinance so it can come before you.

Commissioner Rivers said, so moved. Chairman Hair said, okay. Second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no.

Chairman Hair said, okay. Now, Commissioner Rivers. Commissioner Rayno asked, what was that first vote? Chairman Hair said, it authorizes us to take it over —. County Attorney Hart said, just to get it up to y'all to take the —. Chairman Hair said, — under the Purchasing Ordinance.

Chairman Hair and Commissioners Rivers, McMasters, Murray, Odell, Gellatly 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 Kicklighter was not present when this vote was taken.]

Commissioner Rivers said, Mr. Chair, based on possible appearances and impropriety, the Board of Commissioners within its authority to cancel the RFP —. Commissioner Murray said, second. Commissioner Rivers said, it is —. Chairman Hair said, he's not finished. Commissioner Murray said, I'm sorry. Commissioner Rivers said, — and in the best interest of the County, therefore, we recommend —, or we move that we reject all bids and rebid. Chairman Hair said, okay. Commissioner Murray said, second. Commissioner Thomas said, second. Chairman Hair said, okay, I have a second. All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, Murray, Odell, Gellatly and Thomas voted in favor of the motion. Commissioners Rayno and McMasters voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioner Kicklighter was not present.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Rivers moved that the matter of solicitation of a Legislative Liaison be taken up by the Board of Commissioners under the Purchasing Ordinance. Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Rivers, McMasters, Murray, Odell, Gellatly 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 Kicklighter was not present when this vote was taken.]

Commissioner Rivers moved to reject all bids and rebid for solicitation of a Legislative Liaison. Commissioners Murray and Thomas seconded the motion. Chairman Hair and Commissioners Rivers, Murray, Odell, Gellatly and Thomas voted in favor of the motion. Commissioners Rayno and McMasters voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

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2. REQUEST BOARD AUTHORIZE SETTLEMENT OF CHATHAM COUNTY, GEORGIA v. BIBLIA, INC., AND COTTRELL CONTRACTING, INC., CV403-227 (JON HART).

ACTION OF THE BOARD:

Commissioner Murray moved to authorize settlement of *Chatham County, Georgia v. Biblia, Inc., and Cottrell Contracting, Inc.*, CV403-227, in the amount of \$45,000. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

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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 Murray moved to authorize the Chairman to execute an affidavit that the Executive Sessions were held in compliance with the Open Meetings Law. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

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ADJOURNMENT

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 11:15 a.m.

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APPROVED: THIS _____ DAY OF _____, 2004

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

SYBIL E. TILLMAN, COUNTY CLERK