

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, OCTOBER 5, 2007, 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 Pete Liakakis called the meeting to order at 9:40 a.m., Friday, October 5, 2007.

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II. INVOCATION

Mr. John Savage gave the invocation at the request of Commissioner Harris Odell.

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III. PLEDGE OF ALLEGIANCE

All gave the Pledge of Allegiance to the Flag of the United States of America.

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IV. ROLL CALL

The Clerk called the roll.

Present: Pete Liakakis, Chairman
 Dr. Priscilla D. Thomas, Vice Chairman, District Eight
 Dean Kicklighter, Chairman Pro Tem, District Seven
 Helen L. Stone, District One
 James J. Holmes, District Two
 Patrick Shay, District Three
 Patrick K. Farrell, District Four
 Harris Odell, Jr., District Five
 David M. Gellatly, District Six

Also present: Russell Abolt, County Manager
 Jonathan Hart, County Attorney
 Sybil E. Tillman, County Clerk

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. GREENEST COUNTY RESOLUTION (COMMISSIONER SHAY).

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I'm going to come to the well for this and also I'd like to recognize that here with me this morning are Dale Thorpe, she's with the Chatham Environmental Forum, and Denise Grabowski from the U.S. Green Building Counsel, and sort of laying back there in the audience is Chris Miller, who's also with the Creative Coast and the Chatham Environmental Forum. Commissioner Shay read the following resolution:

RESOLUTION**CALLING FOR CHATHAM COUNTY TO BECOME
"THE GREENEST COUNTY" IN GEORGIA**

WHEREAS, the area now known as Chatham County has had a green history, as the delta of a great river, as a home for native American Indians such as the Yamacraw tribe, as the place where General James Edward Oglethorpe chose to found the colony of Georgia, and through the subsequent 275 years of sustained settlement; and

WHEREAS, Chatham County is blessed with an abundance of natural resources, including the Atlantic Ocean, the barrier islands, the tidal marshes, the high bluff of historic Savannah, the forests of pines and live oaks, the Floridan Aquifer and a rich and complex natural ecosystem; and

WHEREAS, Chatham County is also blessed with a diverse human ecology, with many cultural heritages; abundant infrastructure including education, transportation, industrial, national security, and all types of residential; and people who share a great love of our community despite their many differences; and

WHEREAS, we all must now learn to be as energy and resource conservative as possible in order for future generations to survive and prosper, the Board of Commissioners of Chatham County desires to show its leadership in helping to create "The Greenest County in Georgia."

NOW, THEREFORE, the Board of Commissioners of Chatham County does hereby request that the Chatham Environmental Forum, with its history of helping to find answers to the difficult environmental questions of the last 20 years, accept the challenge of developing a plan for how we can together become "The Greenest County in Georgia:" by identifying ways to conserve our natural resources; conserve energy in every way possible; enhance our ability to use local labor, talent and materials; and, to make sure that our investment in new infrastructure will help us to build a high-tech, knowledge-based, and creative local economy. **AND FURTHERMORE**, the Chatham Environmental Forum should bring together representatives of local governments, local businesses, and local environmental groups, as well as other community-based institutions, to prepare a plan to enhance our existing conservation programs, eliminate barriers to energy and resource conservation, and provide guidance as to how we can work together to find an environmentally, economically, and socially sustainable future, built upon local resources by local people, as a model for other counties in Georgia, and throughout the United States.

ADOPTED THIS 5th DAY OF OCTOBER, 2007

Pete Liakakis, Chairman

Attest:

Sybil E. Tillman, Clerk

Commissioner Shay said, I'd like to make a motion, Mr. Chairman, from the well, if I may, that we adopt this resolution. Commissioner Stone said, second.

Chairman Liakakis said, we have a motion on the floor and a second to adopt this green matter resolution. Let's go on the board. Unanimously. Commissioner Shay said, thank you. Thank you, Mr. Chairman. Chairman Liakakis said, the motion passes.

Commissioner Shay said, it's an important opportunity for us. It's a big challenge. I think that the Chatham Environmental Forum is up to it. We'll be meeting on Monday to start talking about how we roll up our sleeves and get about this business, but I think Denise [Grabowski] wanted to speak and tell you about a special offering next week.

Ms. Grabowski said, good morning, and I'm glad to hear that you did pass this resolution unanimously. I'd like to invite you all to a very special event next evening at 7:30 at Trustees Theater. Ed Masaria [phonetic] will be here speaking on his global challenge, which is the 20/30 Challenge that is aimed at the building community particularly with a recognition that buildings consume over 70% of our electricity and are responsible for 38% of carbon dioxide emissions. He's a very powerful speaker and will be sharing a wealth of information as he outlines the steps necessary to address global warming and also what we can do locally as a community. I would invite you all to attend and hope you will be there. Once again, it's next Tuesday, October 9th, at 7:30 at Trustees Theater. Thank you. Thank you.

Commissioner Shay said, thank you.

Chairman Liakakis said, thank you very much and this is really important and I'm glad we have the Melaver Company, who has started the Green Building and have done a lot in construction and development in our community and we have other construction companies involved in that. And, of course, our County staff knows and are looking to make presentation to us on this particular issue.

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Youth Commissioner Chu said, I have a question for Mr. Patrick Shay. For the Greenest County Resolution, are teenagers allowed to participate and be involved?

Commissioner Shay said, absolutely. The Chatham Environmental Forum is an open forum and if you're interested in participating, get me your contact numbers and so forth and I'll make sure that you are added to our list so that you can participate. I think it's especially important for young people to participate because us old folk are really the ones that are going to be impacted by the effects if we ignore the call to conservation. So that would be great.

Youth Commissioner Chu said, because at our school we have the Environmental Awareness — it's a club for students, high school students who are trying to preserve energy, especially on our school campus. Commissioner Shay said, great. Youth Commissioner Chu said, we probably successfully have, like, recycle bins for paper, plastic bottles and everything else.

Commissioner Shay said, it occurs to me that maybe you would be an outstanding representative not only of the Savannah Country Day, but also of the Youth Commission itself because there's a pretty — I like that. This is good. Youth Commissioner Chu said, thank you.

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2. PROCLAMATION ON S.A.F.E. SHELTER. CHERYL BRANCH WILL BE PRESENT TO ACCEPT.

Chairman Liakakis said, I'd like to call on Commissioner Helen Stone to present the proclamation on S.A.F.E. Shelter and if Cheryl Branch is in the audience, please come forward and with anybody else that you might have with you.

Commissioner Stone said, I'm going to try to read this without my glasses, Mr. Chairman, so bear with me. Commissioner Stone read the following proclamation:

PROCLAMATION

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

WHEREAS, in 2006, Savannah Area Family Emergency Shelter, Inc. (SAFE Shelter), which is Chatham County's only designated domestic violence shelter, provided services to 814 victims of domestic violence, 223 of them children and received 1,000 crisis calls; and

WHEREAS, in 2007, there have been three domestic violence-related homicides. Georgia ranks seventh in the country in domestic violence-related deaths; and

WHEREAS, children growing up in homes where there is violence are more likely to repeat those violent behaviors as adults; and

WHEREAS, Chatham County government recognizes the need to break the cycle of violence through public awareness, education and support.

NOW, THEREFORE, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim Sunday, October 21, 2007 as:

SAFE SUNDAY

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

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 27th day of October 2007.

 Pete Liakakis, Chairman
 Chatham County Commission

ATTEST:

 James J. Holmes, Commissioner
 District 2

Commissioner Stone said, thank you very much. I know you might want to say a few words.

Ms. Cheryl Branch said, thank you. Thank you very much. Once again, gentlemen, it's like déjà vu. Ladies and gentlemen, I'm up here to Domestic Violence Awareness Month. Our luncheon this year is going to be on Thursday, October 11th, from 12:00 to 2:00 at DeSoto Hilton. You all are invited. We have State Attorney General Thurbert Baker as our keynote speaker. On Friday we have our Candlelight Vigil in the park — Forsyth Park, and that will be from 6:00 to 8:00. In Georgia so far we've had 45 deaths year to date and domestic violence and four of those victims were 16 and 17 years old. So this is something that, you know, it's not going to go away, and I can honestly say Chatham County in my 12 years with S.A.F.E. Shelter has been incredibly supportive and very proactive in working with us, and I just want to thank you very much.

Chairman Liakakis asked, and what's the date again on the dinner that you're having with the Attorney General speaking? Ms. Branch said, that will be on Thursday, the 11th, and it will be from 12:00 to 2:00 at the DeSoto Hilton. Chairman Liakakis said, okay. Thank you very much.

Mr. George Bowen said, Mr. Chairman, I also want to — Chairman Liakakis said, identify yourself for the Clerk. Mr. Bowen said, George Bowen and I'm President of the Board of Directors for S.A.F.E. Shelter, and I just want to thank the Chamber — the Commission also for supporting us. I've learned in the six years I've been with the Shelter how important it is to have this Shelter for both men and women because, believe it or not, it's just not a situation where it involves women but men also. And we're sort of a last resort location when they run out of all other options, so I thank the Commission for helping us with this — our activities during October. I also want to say that the board works very hard to fill that gap because all our funding doesn't come from government entities. We do a lot of fund raising and I want to thank my fellow board members for all the efforts they put in. So, again, thank you.

Chairman Liakakis said, thank you very much and we know how many lives really that have been saved by S.A.F.E. Shelter to take them out of a violent area that has occurred and last year and this year and many years in the past. Thank you again.

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3. PROCLAMATION RECOGNIZING THE CHANGE A LIGHT, CHANGE THE WORLD CAMPAIGN OF NACO AND THE U.S. ENVIRONMENTAL PROTECTION AGENCY.

Chairman Liakakis said, I'd like to call on Commissioner Dean Kicklighter to do the proclamation for recognizing the Change a Light, Change the World Campaign of NACo and the U. S. Environmental Protection Agency.

Commissioner Kicklighter said, thank you, Mr. Chairman. Commissioner Kicklighter read the following proclamation:

WHEREAS, the National Association of Counties (NACo) and the U. S. Environmental Protection Agency are encouraging participation in the 8th annual ENERGY STAR Change a Light, Change the World Campaign, which encourages every American to change at least one inefficient light in their home to one that has earned the ENERGY STAR label; and

WHEREAS, since the 2005 Campaign launched with an online pledge inviting people to commit to change at least one light at home, more than 850,000 Americans have pledged to change more than 2 million lights with the number growing daily and for the second year NACo is conducting the County Change a Light Campaign; and

WHEREAS, lights replaced with energy-efficient ones can add up in energy, monetary, and environmental savings because ENERGY STAR-qualified light bulbs and fixtures use 75 percent less energy than standard incandescent bulbs and can last up to 10 times longer.

NOW, THEREFORE, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby invite all citizens to participate in the

ENERGY STAR CHANGE A LIGHT, CHANGE THE WORLD CAMPAIGN

in Chatham County, for together we can help light the way to greater energy and a brighter future.

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 October, 2007.

Pete Liakakis, Chairman
Chatham County Commission

ATTEST:

Frances Q. Rasmussen
Deputy Clerk

Chairman Liakakis said, thank you very much. This Commission, we really do encourage all the citizens to purchase these bulbs because I know some of our Commissioners do have these particular new types of bulbs. They work great, they save you money, and we save energy when we do that also.

Commissioner Thomas said, Mr. Chairman. Chairman Liakakis said, yes. Commissioner Thomas said, I just want to say that when we were in attendance at NACo, there was a company there that was giving out some of these bulbs and I'm very pleased to say that I was able to get a least about 25 that I have placed around in the different homes of the citizens that I serve to make them away that this was being done. So, if and when you attend these meetings, there are companies there and I would advise, you know, ask that those of us who are in attendance, they will give you quite a few of those and you came bring them back and also share them with your citizens.

Chairman Liakakis said, okay. Thank you very much.

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VI. CHAIRMAN'S ITEMS

1. BOARD RETREAT ON WEDNESDAY, OCTOBER 10, OSSABAW ISLAND (CHAIRMAN LIAKAKIS AND COMMISSIONER FARRELL).

Chairman Liakakis said, I'd like to call on Commissioner Farrell for that particular project.

Commissioner Farrell said, thank you, Mr. Chairman. It gives me great pleasure to announce the planned trip for the County Commissioners and the County Manager to take an on-site tour and education opportunity to learn more of the history on Ossabaw Island. This is an island that is located in the southeast quadrant of Chatham County. Also, it will present an opportunity for the Commissioners to discuss any issue or visions — big picture visions — of our future. I'd also like to thank the Ossabaw Foundation, the Georgia Department of Natural Resources, John Bremer, County staff and many others that are helping to assist to put this one-day event together. Their valuable assistance is much appreciated and I appreciate the willingness and enthusiasm of all my fellow Commissioners to participate in this trip to Ossabaw Island.

Chairman Liakakis said, thank you very much.

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YOUTH COMMISSIONERS

Chairman Liakakis said, I'd like to recognize two of our Chatham County Youth Commissioners. We have Jennifer Morse, who is from Jenkins High School, and she's the Parliamentarian for the Youth Commission. And we also have Stephanie Chu, who's an Executive Member, from Savannah Country Day. We're glad to have you both here for our agenda today.

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VII. COMMISSIONERS' ITEMS

1. PRESENTATION BY ANNE SMITH ON POOLER'S FLYING PIG FESTIVAL (COMMISSIONER KICKLIGHTER).

Chairman Liakakis said, now what I'd like to do is call on Commissioner Kicklighter to go with a presentation by Anne Smith on Pooler's Flying Pig Festival. Before we do that though, I'd like to recognize Mike Lamb, who is the Mayor of Pooler, who's done an outstanding job. In fact, he did such a good job for the citizens there in working with other cities and all he has no opposition this year, which is great I know for him. So we've got a great Mayor in our audience.

Chairman Liakakis said, what I'd like to do right now, Commissioner Kicklighter, if you will participate with Pooler's Flying Pig Festival and, Dean [Kicklighter], I didn't see your costume this morning. Commissioner Kicklighter said, it's in the trunk. Chairman Liakakis said, oh, okay. Well, next time bring it up. Go ahead with your presentation.

Commissioner Kicklighter said, thank you, Mr. Chairman. I'll have to rewrite my introduction here, but we are honored to have the mayor of one of the fastest growing cities in the United States as well as a group of people running one of the fastest probable growing festivals around. I'd like at this point —, I'm going to call Mayor Mike Lamb up and let him bring in one of the top citizens in the City of Pooler. If you will, Mayor Lamb, come on up.

Mayor Lamb said, I wasn't prepared for this, but I definitely will take advantage of this because we're very proud to have this festival each and every year because we have such an unusual animal that comes in and brings in our festival. So at this time without future ado I'd like to introduce the flying pig to come in and talk to you.

Chairman Liakakis said, come on up to the microphone. Thank you.

The Flying Pig [Anne Smith] said, good morning. How are you? Chairman Liakakis said, we're doing great. Commissioner Shay asked, would you identify yourself please? The Flying Pig said, I'm the Flying Pig, but I'm not the Miss Flying Pig. You know we have a Miss Flying Pig. Did you know that? Commissioner Kicklighter said, no, we didn't. Commissioner Shay said, no, but this might be a good punch line. The Flying Pig said, I think that person knows. You know, they won that Womanless Pageant last year. Commissioner Kicklighter said, imagine that. The Flying Pig asked, am I telling you anything? Won the best legs. This young man right here. Commissioner Kicklighter said, imagine that. Commissioner Kicklighter said, I think I'll go get my costume now.

The Flying Pig said, it's a pleasure to be here and we want y'all to keep all the rain in Savannah. We don't need it in Pooler. We've got the get this festival over with. You know, we're having Doug Stone tonight. You know, Doug Stone is a Georgia boy, you know, country music. Commissioner Kicklighter asked, what time is that starting? The Flying Pig said, he's going to be there at eight o'clock. We have another band from Ft. Lauderdale and they's a young man named Glenn Smith. I think he's a little kin to somebody in Pooler named Anne Smith. So we want y'all to come. You won't believe all the things we've got. We even have a Preacher's Cake Baking Contest and we've got a Woman Pie Baking Contest, and we've even got a Doggie Contest and then we're having tomorrow morning at eight o'clock we're having a 5-K Race so anybody that wants to come out, just come on out and get in our race. But I would like to take this time to thank you for all you've done for us and to tell you that park in Pooler is beautiful, that Triplett Park.

Chairman Liakakis said, well, we're glad that the County was able to fund that and to get that moving on because it's one of the finest recreation areas that we have in the County now and it's important for all of our citizens to have that for their quality of life also in addition to the other recreation areas. One of the other things I wanted to ask you, were y'all also going to have the Dancing Pigs there as part of the entertainment? The Flying Pig said, it's a possibility. Are you coming to see them, honey? Chairman Liakakis said, possibly. The Flying Pig said, well, I tell you, if you're coming, I'll see that they're there. Chairman Liakakis said, okay. Thank you.

The Flying Pig said, all right, we have a little something for y'all. Do I have time to give it to you? Chairman Liakakis said, okay. Commissioner Kicklighter said, yes ma'am. The Flying Pig said, well, first of all I've got a little plaque that I've been trying to give to a young man for about a year. Can I present it to him? Chairman Liakakis said, yes, you may. The Flying Pig said, Dean [Kicklighter], could you come here for a minute please. We give a plaque every so often to somebody that's really helped us, and I have to tell you this. He went beyond helping us and we love Dean Kicklighter. We just want you to know it. Commissioner Kicklighter said, thank you. Chairman Liakakis said, that's nice. Commissioner Farrell said, we didn't know you had such a soft side, Dean.

The Flying Pig asked, where is Lorenzo [Bryant]? Lorenzo. Commissioner Thomas said, come on, Lorenzo. The Flying Pig said, and ladies — we brought y'all something. Here's — everybody's going to get a little box and make sure you open it to see what's in it.

Commissioner Kicklighter said, and, Anne [Smith], while they're passing that out I want to take this time to thank you and the rest of the people that worked so hard out there. This is a great festival and y'all do a great job for the City of Pooler and for Chatham County in general. We truly do appreciate everything that you do. And while they're passing it out, tell just the general public that may be watching — step up closer to the mike and tell them exactly when this festival will be taking place, the times and when it will end and all.

Ms. Smith [the Flying Pig] said, it starts tonight. It opens at four this afternoon. Can you hear me? Commissioner Kicklighter said, yes ma'am. Ms. Smith said, and it will go to eleven tonight and, well, I've already told you, Doug Stone

and then Glenn Smith and the Shadow Creek Band and — help me out — the Reidsville State Prison Cloggers — but they're really not from the prison, okay — and then tomorrow it opens at eight o'clock in Pooler with a 5-K Race and a one-mile fun walk for the kids and then we go down to Triplett Park and it opens there. Official opening is at ten o'clock and it will go to eleven o'clock tomorrow night and then Sunday it's 12:00 to 6:00, and I wish that you all would could out because, I'm going to tell you something, it's going to be one of the best festivals we've ever had.

Commissioner Kicklighter said, and there will be barbecue cookoffs. It's a great place to take your family and so —.

Ms. Smith said, yeah, we're having a barbecue cookoff, we're having a chili cookoff and then the chili cookoff is called the Guns and the Hoses. That's the firemen against the police in a chili cookoff.

Commissioner Kicklighter said, and it all takes place at Tom Triplett Park on Highway 80. So everyone, if you get a chance, please go out and support them, and I'll show the camera, these are actually small pig cakes, right here. So, thank you very much. Ms. Smith said, thank you for letting us come. See you. I'm going to look for you, young man. Commissioner Kicklighter said, and the Chairman will take my place as the reigning womanless beauty pageant person. We'll get him in there.

Ms. Smith said, bye, bye. Commissioner Farrell said, congratulations. Commissioner Kicklighter said, thank you. Ms. Smith said, and I would like to say one more thing. We are blessed to have a very good Mayor and thank you for recognizing him.

Chairman Liakakis said, thank you.

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2. CITIZEN RECOGNITION FOR THEIR ASSISTANCE TO THE METROPOLITAN POLICE DEPARTMENT (COMMISSIONER STONE).

Chairman Liakakis said, I call on Commissioner Stone for this.

Commissioner Stone said, thank you, Mr. Chairman. I'm also going to call on Sgt. Wilson in a few minutes, but this is something that I've been thinking about for a little while and wanted to bring it to the Commission. There are a number of citizens in this community that go above and beyond the average call of duty every day and it might be something fairly heroic or it might be something as probably average day-in and day-out of being a neighborhood association president or chairman, but they help work without police department and they help make our community safe, and I was wondering if we could once a month acknowledge some of these people — some of our citizens that have done these good works and have helped to make our community a safer and better community, and I wanted to work with the police department and see if that is something that possibly whether members of the Commission would like to nominate or bring people forward and once a month we recognize these people with something as simple as a certificate. So, Sgt. Wilson, if you would like to come up and maybe briefly — we played phone tag for a while and haven't really touched base, but I know he's interested in this and I wanted to get some feedback from my fellow Commissioners. Thank you.

Sgt. Mike Wilson said, I'm Sgt. Mike Wilson, Public Affairs Supervisor for the Savannah-Chatham Metropolitan Police Department. Chief Berkow said, I'm his backup. Sgt. Wilson said, that's it. But we received this request from Commissioner Stone back in — through the County Manager back in August and we thought it was a very insightful request, as a matter of fact, because one of the things that we want to do is bolster even more citizens to get involved in our crime fighting efforts. As you can see, as you watch TV, we have citizens every day who are doing things that are heroic — some of them even going to the extent of placing themselves in harm's way. The problem is we have not really had a trigger in place to expediently recognize those individuals, so what we have taken, at the direction of Chief Berkow, is we have put together a plan within the Police Department so that when an incident or event occurs it immediately comes to my office, and once it gets to my office I will generate the necessary paperwork to forward over here to Pete Nichols for you guys to review for approval, and you can do that as often as you like. What our goal is, however, is to move this process as expediently as possible. So that's what we're currently doing in the Police Department to facilitate her request.

Chief Berkow said, Mike [Wilson] won't say this, but one of the problems has been Mike has been a one-man band for about seven months. He had somebody working with him and the gentleman left to take another job and we just yesterday interviewed the candidates for that job so I can get Mike some help because he's literally been working seven days a week. We're just slowing this down and we apologize for that, but we want to be a little quicker, but we're about to hire a second person who will be working with Mike and that won't make this process work.

Commissioner Stone said, that's quite alright. I think there are a number of citizens in this community that this would apply to and I'm looking forward to hearing from my fellow Commissioners if there's someone in your district that has done something that you think is recognizable, I'm certainly — nothing would give me more pleasure. We're so blessed in this community to have some outstanding citizens and I think that it would be a terrific program to honor them. I realize that some people may not want to be honored, but I'm sure that there are enough that would and I think that it would be one way that we could show our appreciation for what they do on a daily basis.

Commissioner Kicklighter said, Mr. Chairman, I think the lady that jumped on the hood of the car and the two car salesmen that came up would be good start because that was pretty good right there. Commissioner Stone said, there are numerous.

Chairman Liakakis said, thank you.

Commissioner Stone said, on this citizen recognition, do we need any action from the Board? Chairman Liakakis said, they did the presentation. Once we get that additional information, then we'll just ask for a vote on it. Commissioner Stone said, okay. I just didn't know if we wanted to take a vote. Chairman Liakakis said, no. I mean, it's a great idea and all, but they'll just give us what we need to put it in the process and we'll go from there.

ACTION OF THE BOARD:

Commissioner Stone proposed that once a month the Commission recognize the citizens in this community that go above and beyond the average call of duty every day and do something heroic or it might be something as average day-in and day-out of being a neighborhood association president or chairman, but they helped make our community a safer and better community.

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PERSONAL PRIVILEGE — COMMISSIONER KICKLIGHTER

Commissioner Kicklighter said, Mr. Chairman. Chairman Liakakis said, yes. Commissioner Kicklighter said, if I may please, I want to thank the Recreation Department for everything that you do helping out with the Flying Pig Festival. Y'all have done a great job. I truly appreciate it, and I want to take this moment to publicly thank Russ Abolt and the entire staff for helping, along with the Board of Education, putting on a successful town hall meeting that Julie Gerbish and myself held. It was great and we could not have done it without you, and I do appreciate everything that all of you have done. Thanks and thank you for giving me time to say it.

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ORDER OF BUSINESS

Commissioner Shay said, Mr. Chairman, before we go into the CAT Meeting, I'd like to request for the other Commissioners and make a motion that we move up under XII-2 regarding a text amendment to the Chatham County Zoning Ordinance — that we move that up so that one of the people that's here today to address that, could be excused after that to be able to attend religious observance services. Commissioner Farrell said, second.

Chairman Liakakis said, I have a motion on the floor and a second. Any remarks? The motion carried unanimously. Chairman Liakakis said, the motion passes.

NOTE: Item XII-2 was taken out of order and was heard at this point on the agenda.

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CHATHAM AREA TRANSIT AUTHORITY

Upon a motion made by Commissioner Odell, seconded by Commissioner Thomas and unanimously approved, the Board recessed as the County Commission at 10:15 a.m., and convened as Chatham Area Transit Authority.

The Board reconvened as the County Commission at 12:20 p.m.

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VIII. TABLED/RECONSIDERED ITEMS

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

***1. REQUEST FROM RADU GAVRILAS, DEVELOPER, FOR THE COUNTY TO RELEASE THE FINANCIAL GUARANTEE AND ACCEPT THE DEDICATED IMPROVEMENTS FOR MAINTENANCE FOR GAVRILAS SUBDIVISION.
[DISTRICT 4.]**

County Manager Abolt said, you can make a motion to move it off the table as far as we're concerned.

Commissioner Shay said, Mr. Chairman, I'd like to make a motion to remove that item from the table. Commissioner Holmes said, second.

Chairman Liakakis said, okay, we have a motion on the floor to remove that Item 1 from the table to go back on as the first reading. County Manager Abolt said, no sir. This is one —. Chairman Liakakis asked, it's coming off altogether? County Manager Abolt said, no sir. This was one that was pulled off the Action Calendar two weeks ago because there was collateral issue regarding drainage on Mims Street and just to be considerate of Commissioner Farrell and assuring that he had ample time to look at it, you all tabled it until this date. It's my understanding it's okay to take it off the table and approve the staff report as written.

Chairman Liakakis said, okay. Well, that's what I was saying. Okay, let's go on the board. The motion carried unanimously. [NOTE: Commissioners Stone and Thomas were not present.] Chairman Liakakis said, the motion passes.

Chairman Liakakis said, request from Radu —. County Manager Abolt said, you just approve number one. Chairman Liakakis said, okay. I thought we just —. Commissioner Shay said, I believe what we did was we untabled it. Chairman Liakakis said, oh, we just untabled it. We have to vote on it. A motion has been approved to take it off the table so that we can reconsidered. Now we need a motion to approve this request.

Commissioner Kicklighter said, so moved. Commissioner Holmes said, second.

Chairman Liakakis said, all in favor, let's go on the board. Oh, excuse me. Do you want to discuss it. Commissioner Odell said, no, no. Chairman Liakakis said, okay, let's go on the board. The motion carried unanimously. [NOTE: Commissioners Stone and Thomas were not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

- (a) Commissioner Shay moved to untable this item for consideration by the Board. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Stone and Thomas were not present.]
- (b) Commissioner Kicklighter moved to approve the request from Radu Gavrilas, developer, for the County to release the financial guarantee and accept the dedicated improvements for maintenance for Gavrilas Subdivision. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Stone and Thomas were not present.]

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***See "Second Readings" for tabled item: The petitioner, Gregory Dean Elmgren, is requesting to rezone 124 Quacco Road.**

Commissioner Kicklighter said, now we have — there's not a number two beside it. It says: See "Second Readings" for tabled item: The petitioner, Gregory Dean Elmgren, is requesting to rezone 124 Quacco Road."

County Manager Abolt said, we're just being circumspect. That comes on the Second Reading. This is the one we tabled the last time at the request of the attorney. So it will come back before you on Second Reading and it's there.

Commissioner Kicklighter said, at this time then with your permission, I'd like to make a motion that we amend the agenda and handle this particular item, which is #3 under Second Readings right now.

Chairman Liakakis said, okay. Do we have a second? Commissioner Gellatly said, second. Chairman Liakakis said, okay. All in favor signify by going on the board.

[NOTE: Item XII-3 was heard at this point on the agenda.]

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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. **TO REQUEST APPROVAL OF THE FOLLOWING: (1) AMENDMENTS TO THE FY2008 GENERAL FUND M&O TO: A) INCREASE REVENUE FROM TRANSFER IN FROM MULTIPLE GRANT FUND \$25,877 AND APPROPRIATE \$25,877 TO CONTINGENCY AND B) TRANSFER \$181,914 FROM CONTINGENCY TO CAT TELERIDE; (2) AMENDMENTS TO THE FY2008 MULTIPLE GRANT FUND TO: A) INCREASE REVENUES \$25,877 FUND BALANCE AND APPROPRIATE \$25,877 TO TRANSFER OUT TO GENERAL FUND M&O AND B) INCREASE REVENUES AND EXPENDITURES \$7,500 FOR A GRANT FROM THE COUNCIL OF JUVENILE COURT JUDGES OF GEORGIA; (3) AN AMENDMENT TO THE FY2008 CAPITAL IMPROVEMENT PROGRAM FUND TO INCREASE REVENUES \$157,548 FROM SALE OF SURPLUS ASSETS, \$206,712 FROM REFUNDS, AND INCREASE EXPENDITURES \$38,496 FOR M&O FLEET VEHICLES, \$119,052 FOR SSD FLEET VEHICLES, \$144,920 FOR THE HURRICANE PREPAREDNESS PROJECT, AND \$61,792 FOR THE MIS NET PLAN PROJECT; (4) AN AMENDMENT TO THE FY2008 CONFISCATED REVENUE FUND TO INCREASE REVENUE \$38,003 FROM SALE OF SURPLUS ASSETS, AND EXPENDITURES \$38,003 FOR CNT CONTINGENCY.**

Chairman Liakakis asked, do we have a motion on the floor for those individual actions?

Commissioner Stone said, so moved, Mr. Chairman. Commissioner Holmes said, second.

Chairman Liakakis said, we have a motion on the floor and a second for those items. Let's go on the board. The motion carried unanimously. [NOTE: Commissioners Farrell, Odell and Kicklighter were not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Stone moved to approve the following: (1) Amendments to the FY2008 General Fund M&O to: a) increase revenue from Transfer In From Multiple Grant Fund \$25,877 and appropriate \$25,877 to Contingency and b) transfer \$181,914 from Contingency to CAT Teleride; (2) amendments to the FY2008 Multiple Grant Fund to: a) increase revenues \$25,877 fund balance and appropriate \$25,877 to Transfer Out to General Fund M&O and b) increase revenues and expenditures \$7,500 for a grant from the Council of Juvenile Court Judges of Georgia; (3) an amendment to the FY2008 Capital Improvement Program Fund to increase revenues \$157,548 from Sale of Surplus Assets, \$206,712 from refunds, and increase expenditures \$38,496 for M&O Fleet Vehicles, \$119,052 for SSD Fleet Vehicles, \$144,920 for the Hurricane Preparedness Project, and \$61,792 for the MIS Net Plan Project; (4) an amendment to the FY2008 Confiscated Revenue Fund to increase revenue \$38,003 from Sale of Surplus Assets, and expenditures \$38,003 for CNT Contingency. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Farrell, Odell and Kicklighter were not present.]

AGENDA ITEM: IX-1
AGENDA DATE: October 5, 2007

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

ISSUE: To request approval of the following: (1) amendments to the FY2008 General Fund M&O to: a) increase revenue from Transfer In From Multiple Grant Fund \$25,877 and appropriate \$25,877 to Contingency and b) transfer \$181,914 from Contingency to CAT Teleride; (2) amendments to the FY2008 Multiple Grant Fund to: a) increase revenues \$25,877 fund balance and appropriate \$25,877 to Transfer Out to General Fund M&O and b) increase revenues and expenditures \$7,500 for a grant from the Council of Juvenile Court Judges of Georgia; (3) an amendment to the FY2008 Capital Improvement Program Fund to increase revenues \$157,548 from Sale of Surplus Assets, \$206,712 from refunds, and increase expenditures \$38,496 for M&O Fleet Vehicles, \$119,052 for SSD Fleet Vehicles, \$144,920 for the Hurricane Preparedness Project, and \$61,792 for the MIS Net Plan Project; (4) an amendment to the FY2008 Confiscated Revenue Fund to increase revenue \$38,003 from Sale of Surplus Assets, and expenditures \$38,003 for CNT Contingency.

FACTS AND FINDINGS:

- 1) The Multiple Grant Fund has a positive fund balance of \$25,877. The nature of this fund makes it possible to carry a zero fund balance. The current fund balance is

available for transfer to the General Fund M&O. Resolutions to amend the two funds have been prepared, and are attached.

- 2) The Chatham Area Transit Authority has requested an increase in the Teleride appropriation. The additional funds are for wages, maintenance, fuel and software. A transfer of \$181,914 from General Fund M&O Contingency is requested.
- 3) The Council of Juvenile Court Judges of Georgia has awarded a \$7,500 grant for the Purchase of Services for Juvenile Offenders Program. A resolution to amend the Multiple Grant Fund budget has been prepared. A copy of the grant award is attached
- 4) The sale of surplus vehicles has generated revenue of \$157,548 for the CIP Fund. Funds from the sale of vehicles are used for vehicle replacement. The split between M&O and SSD vehicles is \$38,496 M&O, \$119,052 SSD. A refund from Motorola in the amount of \$206,712 has been received. This will provide funds for completion of the emergency generator installation \$144,920 and \$61,792 for MIS Net Plan projects. A resolution to amend the budget and copies of correspondence are attached.
- 5) The sale of CNT vehicles generated revenue of \$38,003 for the Confiscated Revenue Fund. A resolution to amend the FY2008 budget is attached.

FUNDING: The budget amendments will establish funding in the General Fund M&O, the Multiple Grant Fund, the Capital Improvement Program Fund, and the Confiscated Revenue Fund. Funds are available in the General Fund M&O Contingency for the transfer.

ALTERNATIVES:

- (1) That the Board approve the following:

GENERAL FUND M&O FY2008

- a. an amendment to increase revenues \$25,877 Transfer In From the Multiple Grant Fund and increase Contingency \$25,877,
- b. a transfer of \$181,914 from Contingency to CAT Teleride.

MULTIPLE GRANT FUND FY2008

an amendment to:

- a. increase revenues \$25,877 fund balance and expenditures \$25,877 for Transfer Out to General Fund M&O,
- b. increase revenues and expenditures \$7,500 for a grant from the Council of Juvenile Court Judges of Georgia.

CAPITAL IMPROVEMENT PROGRAM FUND FY2008

an amendment to increase revenues \$157,548 from Sale of Surplus Assets, \$206,712 from refunds, and increase expenditures \$38,496 for M&O Fleet Vehicles, \$119,052 for SSD Fleet Vehicles, \$144,920 for Hurricane Preparedness Project, and \$61,792 MIS Net Plan Project.

CONFISCATED REVENUE FUND FY2008

an amendment to increase revenue \$38,003 from Sale of Surplus Assets, and expenditures \$38,003 for CNT Contingency.

- (2) Amend or deny the request.

POLICY ANALYSIS:

State law grants the Board authority to amend the budget during the year as it deems necessary.

RECOMMENDATION:

That the Board approves Alternative 1.

Prepared by: Read DeHaven

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2. REQUEST BOARD APPROVAL OF PLAN OF ACTION FOR MANAGING MORE THAN 180 CAPITAL PROJECTS WITH A VALUE IN EXCESS OF \$325 MILLION.

Chairman Liakakis recognized County Manager Abolt.

County Manager Abolt said, yes. Mr. Chairman and Members of the Board, this is something of great significance. It's unfortunate it comes so late in your agenda. This is something I want you to truly celebrate and realize you've given staff through your leadership and this community's vote on SPLOST, plus your budgetary actions, the opportunity to build what amounts in dollars to over three Trade Centers. You've got \$325 million in funds going for projects that are most needed, granted about \$100 million of that will go for the Detention Center. But everything you've done in the last two years with your budgeting and your CIP evaluation and your prudent conservative financial policies, now allows this multitude of projects to be underway. The challenge for staff is the building. So what we've come up with is first the inventory by department of projects that we know right now we have the green light to commence and we've show you where we were taking individuals, very qualified, and assigned them to different projects. If you look at the attachments to the staff report beginning on page three, you will notice that there are several projects that have that emboldened term "Unassigned," namely we do not have the people to build the projects as of the compilation of the list, but I'm very proud to report that through a combination of taking existing staff people and moving them around, augmenting in one case Mr. Fred Thompson's time to have him do a lot of the lead work primarily in the area of construction within Public Works and Parks Services, we're asking you to back up what amounts to his second in command, Mr. Jerrell McRell, who'll be acting superintendent of that operation in building and maintenance by giving us authority for an additional halftime position that will make Mr. McRell's job easier. At the same time, I am proud to report that we're working and are very close to a very strong bullpen to be able to move in to get these projects done based on the accomplishments of those who have not been in the main, associated with County Government, but have retired and are now willing to come back to work. The first one and the leading person which I was very excited about getting is Col. George Bowen, who was in the audience a couple hours ago. As you know, not only was he a former Deputy Superintendent of Schools, he was School Superintendent for a number of months and headed up the construction project for the school system. He's a man that knows how to get the job done. The second person, who is no less accomplished, is the former Assistant City Manager for the City of Savannah, Israel Small, and the third is a gentleman we recognized about three months ago for his work in Public Works and Park Services. He's been retired and retired long enough that he'd like to come back to work for the County, and that's John Walz. All three of these gentlemen, if we can come up to terms with them, would be employed by the County similar to the way in which the CAT Board employed Joe Rivers. There'll be personal services contracts, that they'd be time specific, and they would cover the necessary salary and expenses with the understanding that the contractor would bear all the responsibilities for their respective FICA and other payroll costs. This is a very innovative way to take advantage of people who have succeeded in previous lives that will come forward and be able to turn to you with me and Pat Monahan, Al Bungard, Mike Kaigler, Robert Drewry and Greg Anderson and say you've given us a chance, we've taken advantage of the chance and we delivered. The action today is somewhat minor in the fact that we're asking you to authorize the additional halftime positions funded out of the projects, but we're on our way. By golly, in a few weeks we're going to have a very strong bullpen, so I'm very pleased to say that probably for the first time in memory because of what you've done, this community is going to see substantial capital improvements in the next year to year and a half. Amazing.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, Mr. Chairman, I think this is wonderful news and I really would like to commend the staff for the way they thought this out and to bring people so that they're not on a repetitive employment here, but on a, if you will, a kind of a consulting basis which will save this community a whole lot of money, and I think that that's just really the way to go and I really appreciate your looking out for the financial interest of the citizens.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, Russ [Abolt], I suggest that you had a very powerful statement and a very little, small audience. Is there any way we could turn that into the form of a press release? County Manager Abolt said, however, you want to do it, Ladies and Gentlemen. You know, I love working with y'all and this is yet again another chapter in the success you all have made in a short period of time. I'm open to anything you would suggest. Maybe a press release is too anemic but, I mean, I —. Commissioner Gellatly said, I'm requesting that —. County Manager Abolt said, why don't we have — why don't y'all have a news conference similar to what y'all did I think at — either at your next meeting or a time convenient to y'all where you're all together and we have a meeting in here —. Commissioner Gellatly said, we need to do that and have it well worded and call it specifically because, you know, if we screwed up that damned sure would be World War II headlines in the newspaper and if it bleeds, it leads television stations, all three of them. County Manager Abolt said, with your permission I'll work with the Chairman to set a time where all of you will be in the room, maybe in advance of your next Commission meeting, but all of you stand up and say, man, this is something this community has to be proud of.

Chairman Liakakis said, yes, this Commission can be really proud of themselves for working so hard for all the citizens of Chatham County and to have 180 projects with some \$325 million is incredible to be able to accomplish that. And to be in the great financial shape that we are in, we took it from being in bad financial shape when we came on board to put it into where we have reserves and all of that. So — and we appreciate our staff because we've got great staff members and directors who have made a big difference in this community.

* * *

County Manager Abolt said, Mr. Chairman, Mr. Monahan is making sure that when you did approve and we talked about the news conference on that second item, that you did give budget authority to add that half position to be paid for out of project funds? You did, didn't you? Chairman Liakakis said, yes. County Manager Abolt said, I thought you did. Commissioner Shay said, we were certain we did. County Manager Abolt said, I was certain you did.

ACTION OF THE BOARD:

No vote was taken on the request to approve a plan of action for managing more than 180 capital projects with a value in excess of \$325 million.

AGENDA ITEM: IX-2

AGENDA DATE: October 5, 2007

TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Patrick Monahan, Asst. County Manager

ISSUE:

To present a plan of action for managing more than 180 capital projects with a value in excess of \$325 million.

BACKGROUND:

Because of the Special Purpose Local Option Sales Tax and the Board's funding for other capital priorities (CIP, 2005 DSA Bond Series, RAP), capital funding remains at a record high for the organization. While this level of public investment bodes well for the community's quality of life, managing the number and complexity of these projects can be burdensome upon an organization which takes pride in fewer employees now than eight years ago. The strategy of past years to tap and develop project management skills within the organization has proved successful; however, recent assessments of capital projects, their status and, in some cases, a self-critical eye on why the slow movement toward achieving milestones, indicate more projects than project managers. Without a new approach, some projects will languish because of the demands of more high-profile projects. Rather than sacrifice progress toward completion of some or many projects, a two-pronged strategy can be effected to accelerate all projects toward completion. The first strategy would be to reorganize within the organization and allow more skilled mid-level managers to assume project responsibility. The second strategy would be to tap retired and semi-retired public managers with project management experience. These strategies will help to avoid delays in capital projects which could otherwise tend to generate questions about commitment toward Board-directed and community goals.

FACTS & FINDINGS:

1. Attachment 1 shows the list of current capital projects, managing department, project manager and funding. The list covers 185 projects with a total value just under \$326 million.
2. Based on the first strategy, many of the projects on the list will be assumed by mid-level managers beyond those already assigned to experienced staff. In some instances, the mid-level manager from one department will be offering project management assistance to a different department. For example, the director of Building Maintenance and Operations, who is experienced in contract performance and construction, will be assuming some of the parks projects.
3. Based on the second strategy, staff has identified a pool of talent within the community. These are retired and semi-retired public managers (i.e. former Deputy Superintendent, Colonel George Bowen; former Assistant City Manager, Israel Small; former Public Works Superintendent, John Walz) who are experienced in managing large and complex projects. These managers would be placed under contract for a specific project under a specific duration of time. Each personnel services contract would be presented to the Board for approval. The cost of their service would be charged to the project they work on.
4. As noted in Fact and Finding #2, the director of Building Maintenance and Operations will be assigned to assume a number of parks projects. As such, it will create an administrative void in the office's day-to-day requirements. To fill part of the position's requirements, a ½ full-time position would be created at Range 26 in Building Maintenance and Operations. The expense of the position would be charged to each project based on actual time.

FUNDING:

Funding will be designated when the Board authorizes a personal services contract for each position. The cost of service would be charged to each project. For the ½ position (Range 26) in Building Maintenance and Operations, the cost would also be charged to each project based on actual time.

ALTERNATIVES:

1. That the Board concur with the plan of action to address the capital project overload, including creation of a ½ full-time position at Range 26 in the Building and Maintenance Operations. For this position and those under personal services contracts, the cost would be charged to the project. All personal services contracts would be presented to the Board for approval.
2. That the Board concur with the plan of action to address the capital project overload but not create the ½ full-time position for Building Maintenance and Operations.
3. That the Board take no action.

POLICY ANALYSIS:

The *Purchasing Ordinance and Procedures Manual* authorizes that the Board may enter into professional services contracts. Applying this strategy, as well as re-assignments within the organization, to the back log of capital projects would help enable the County to resume an accelerated schedule to move them toward major milestones for completion. The clear advantage would be the opportunity to tap available, experienced project managers from within the community, but unlike a full-time position, as the project ends, so would their service.

RECOMMENDATION:

That the Board adopt Alternative 1.

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3. REQUEST BOARD APPROVAL FOR THE CHATHAM COUNTY AQUATIC CENTER TO BE BROUGHT IN-HOUSE AND TO BE MANAGED BY CHATHAM COUNTY PUBLIC WORKS AND PARK SERVICES STAFF INSTEAD OF USING AN OUTSIDE MANAGEMENT GROUP.

Commissioner Farrell said, so moved. Commissioner Thomas said, second. Commissioner Gellatly said, second.

Chairman Liakakis said, let's go on the board. Commissioner Stone said, another great idea. The motion carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Farrell moved to approve that the management of the Chatham County Aquatic Center be brought in-house and be managed by Chatham County Public Works and Park Services staff instead of using an outside management group. Commissioners Gellatly and Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: IX-3

AGENDA DATE: October 5, 2007

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Robert W. Drewry, Director, Public Works and Park Services

ISSUE:

Request Board approval to bring the management of the Chatham County Aquatic Center in-house to be managed by Chatham County Public Works and Park Services staff instead of using an outside management group.

BACKGROUND:

The Chatham County Aquatic Center was built in 1996 and is used as a competitive swim facility by local swim teams as well as the general public. The Aquatic Center operates several programs for the public to include: swimming lessons, swim camps, lifeguard courses, birthday parties, lane rentals, lap swimming, scuba programs, kayaking programs, water aerobics and therapy classes. Since the pool opened, the Aquatic Center has been operated by Champion Corporation. Champion Corporation has elected not to renew the last option on their contract.

FACTS and FINDINGS:

1. County staff has reviewed several other similar county aquatic facilities (ie: Cobb County, Gwinnett County and Augusta-Richmond County) and found that they operate and manage their pools.

- 2. County staff has reviewed the staffing levels and found that there will be a potential cost savings to the county by eliminating the management group. The cost savings to the County is a conservative estimate of \$65,000 annually which includes the elimination of management profit, general and administrative and insurance fees. Bringing the management of the Aquatic Center in-house will add 3 new full-time employees and 49 part-time seasonal employees. County staff will utilize existing staff from the management company. Positions and salaries are listed in the attached spreadsheet.
- 3. Life safety and risk management training standards will be maintained with the county operating the pool.
- 4. County staff will be able to expand existing programs and to create new programs to meet the growing community needs.
- 5. The County currently pays Champion Corporation \$542,639 annually to maintain and operate the pool and the programs identified in the Background.
- 6. The RFP for Pool Management Services was issued, advertised and mailed to 12 firms in August 2004 with only 1 responsive vendor and the contract was awarded to Champion Corporation.

FUNDING:

The funding source will be the current Aquatic Center Management fee.

ALTERNATIVES:

- 1. That the Board approve to bring the management of the Chatham County Aquatic Center in-house to be managed by Chatham County Public Works and Park Services staff and create the positions as shown on the attached.
- 2. That the Board asks staff to solicit another management group through the procurement process.
- 3. That the Board provide staff with another direction.

POLICY ANALYSIS:

Alternative #1 follows Board policy of approving the increase of staffing levels.

RECOMMENDATION:

Staff recommends approval of Alternative 1.

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X. ACTION CALENDAR

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

Chairman Liakakis said, on the Action Calendar we have Items 1 through 8 and under 8 Items A through M. We have one item I'd like to pull off there is Item 4 that we'll ask Russ [Abolt] to give us information. Are there any other items the Members of the Board would like to hold off on?

Commissioner Farrell said, motion to pass those. Commissioner Thomas said, second.

Chairman Liakakis said, motion to pass for all items except Item 4. Let's go on the board. The motion carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.] Chairman Liakakis said, motion passes.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve Items 1 through 8-M, except Item 4. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

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

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1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF SEPTEMBER 21, 2007, AS MAILED.

ACTION OF THE BOARD:

Commissioner Farrell moved to approve the minutes of the regular meeting of September 21, 2007. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD SEPTEMBER 13 THROUGH SEPTEMBER 26, 2007.

ACTION OF THE BOARD:

Commissioner Farrell moved to authorize the Finance Director to pay the claims against the County for the period September 13, 2007, through September 26, 2007, in the amount of \$7,905,823. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

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3. REQUEST BOARD APPROVE A WATER AND SEWER AGREEMENT BETWEEN CHATHAM COUNTY AND THE CITY OF SAVANNAH FOR THE ISLANDS PRECINCT PROJECT. THIS WOULD TRANSFER ONLY THE WATER AND SEWER IMPROVEMENTS TO THE CITY. [DISTRICT 4.]

ACTION OF THE BOARD:

Commissioner Farrell moved to approve a Water and Sewer Agreement between Chatham County and the City of Savannah for the Islands Precinct project transferring only the water and sewer improvements to the City of Savannah. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

AGENDA ITEM: X-3
AGENDA DATE: October 5, 2007

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: A. G. Bungard, P.E., County Engineer

ISSUE: To approve a Water and Sewer Agreement between Chatham County and the City of Savannah for the Islands Precinct project. [This would only transfer the water and sewer improvements to the City.]

BACKGROUND: As part of the merger of the County and City of Savannah Police Departments, a new precinct being constructed at Whitemarsh Island. The project will be complete in November 2007.

FACTS AND FINDINGS:

1. The City of Savannah requires all developers who tie into the City's water and sewer system to execute the agreement. In this case the County assumes the role of the developer. The Islands Precinct project will be tying into the City's water and sewer system. This would only transfer the water and sewer improvements to the City.

2. The water and wastewater fees for this development (in accordance with the City of Savannah's Revenue Ordinance and based on the Equivalent Residential Units) in the amount of \$25,340 has been waived by the City per their letter dated May 8, 2006. Fees for televising the sewer lines, sewer tap in fee, water tap in fee, and water meter will be paid by the contractor as part of his construction contract. No additional fees are required from the County.

ALTERNATIVES:

- 1. To approve the Water and Sewer Agreement between the County and the City of Savannah.
- 2. To not approve the Agreement and provide staff further direction.

FUNDING: No funds are required for the execution of the Agreement.

POLICY ANALYSIS: That the Board approve intergovernmental agreements.

RECOMMENDATIONS: The Board approve Alternative #1.

District 4

Prepared by : Parveez Yousuf

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4. REQUEST BOARD AGREE FOR THE COUNTY TO ACT AS THE GRANT RECIPIENT FOR TWO LOCAL ASSISTANCE GRANTS AND AUTHORIZE THE CHAIRMAN TO SIGN RELATED DOCUMENTATION WITH THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS AND THE GRANT SUBRECIPIENTS.

Chairman Liakakis recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, really to your credit, the Chairman received a call from Representative Lester Jackson. There had been changes in the rules from the Department of Community Affairs when they have these pass through grants, and they're two very needy organizations in anticipation of receiving this. The Chairman said let's get it corrected. With the leadership of Attorney Jon Hart, this new document recognizes changes in regulations that the County must agree to with DCA to allow that pass through funds to be made available. Unfortunately I misspoke this morning in the conversation with the lady that represents Lutheran Services. I thought we had the money in hand. Apparently you have to approve this today. We'll get it to DCA and then they'll cut the check, but the two agencies have been waiting so long, but they'll have to wait a little bit longer. But this is because of the Chairman and his response to a call from Representative Jackson.

Chairman Liakakis said, okay. We need a motion on the floor to approve Item 4.

Commissioner Thomas said, move for approval, Mr. Chairman. Commissioner Farrell said, second.

Chairman Liakakis said, we have a motion on the floor and a second to approve Item 4 under the Action Calendar. Let's go on the board. The motion carried unanimously. [NOTE: Commissioners Odell, Gellatly and Kicklighter were not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Thomas moved that the Board agree to act as the grant recipient for two local assistance grants and authorize the Chairman to sign related documentation with the Georgia Department of Community Affairs and the grant subrecipients. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

AGENDA ITEM: X-4
AGENDA DATE: October 5, 2007

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

ISSUE: To agree to act as the named grant recipient for two local assistance grants and authorize the Chairman to sign related documentation with the Georgia Department of Community Affairs and the grant subrecipients.

FACTS AND FINDINGS:

- 1) On July 30, 2007 the County received notification that two local assistance grants had been awarded to area entities. The County is named as the grant recipient. As such, the County must agree to accept certain responsibilities as stated in the attached documentation from the DCA (Special Project Local Assistance Grant by the Department of Community Affairs). Upon execution of this document by the

Chairman, the DCA will send funds to the County for disbursement to the subrecipients.

- 2) The subrecipients are the North Port Wentworth Citizens Council and Lutheran Services of Georgia. Both entities have been awarded a \$20,000 grant from the Georgia Department of Community Affairs.
- 3) Prior to receipt of the funds, each subrecipient will be required to sign an agreement with the County outlining their responsibilities for the funds. The County Attorney has recently revised the agreement to reflect expanded obligations of the subrecipient and the County under the agreement with DCA, including a certification by the County that the "grant funds were used solely for the express purpose or purposes for which the grant was made." The County may verify the use of funds either by obtaining a certification from the subrecipient's auditor or having the County's internal audit staff review the subrecipient's records. The County bears some financial risk if the grant subrecipient fails to meet their obligations under the agreement.
- 4) There are no matching funds requirements for Chatham County for the grants.

FUNDING: The grant receipt and disbursement will be reflected in the Multiple Grant Fund.

ALTERNATIVES:

- 1) That the Board approve to act as the grant recipient for the local assistance grants for the North Port Wentworth Citizens Council and Lutheran Services of Georgia, and authorize the Chairman to sign related documentation with the Georgia Department of Community Affairs and the grant subrecipients: or
- 2) That the Board decline the grants and provide other direction.

POLICY ANALYSIS:

DCA requires counties and cities to act as fiscal sponsors for local grant awards. DCA grants are often awarded without the County's prior involvement.

RECOMMENDATION:

That the Board approve Alternative 1.

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5. REQUEST BOARD APPROVE THE PURCHASE OF TWO (2) NEW VEHICLES FOR THE CANINE UNIT AND THEN ACCEPT REIMBURSEMENT FROM THE BYRNE GRANT THROUGH THE GOVERNOR'S CRIMINAL JUSTICE COORDINATING COUNCIL.

ACTION OF THE BOARD:

Commissioner Farrell moved to approve the purchase of two (2) new vehicles for the Canine Unit and then accept reimbursement from the Byrne Grant through the Governor's Criminal Justice Coordinating Council. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

AGENDA ITEM: X-5
AGENDA DATE: October 5, 2007

Date : September 24, 2-8

To : Honorable Chatham County Commissioners

Through : County Manager Russ Abolt

From : Al St Lawrence, Sheriff

Ref : Purchase two (2) new Canine Unit vehicles and Accept Reimbursement Funds from the Governors Criminal Justice Coordinating Council

Issue:

A request for the Commissioners to:

- a. To fund the purchase of two (2) new vehicles for the Canine Unit and then accept reimbursement from the Byrne Grant through the Governors Criminal Justice Coordinating Council (CJCC).

Background and analysis:

The Criminal Justice Coordinating Council has recently allotted the amount of \$46,753 from the Byrne Grant to purchase new vehicles for the Sheriff's Department Canine unit. The Chatham County Commissioners would approve the funds to purchase the vehicles and then apply for reimbursement through the Georgia Department of Public Safety.

Funding:

The original funding would be from the Chatham County Commissioners in the amount of \$46,753. Then the amount would be reimbursed from the Criminal Justice Coordinating Council.

Alternatives:

1. Not accept the funds and fund the purchase of the two vehicles for the Canine Unit.
2. Approve the funds, purchase the vehicles and apply for reimbursement from the Byrne Grant through the Georgia Department of Public Safety.

Recommendation:

That the Chatham County Commissioners select alternative #2.

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6. REQUEST BOARD APPROVE AN AGREEMENT WITH GEORGIA PORTS AUTHORITY (GPA) WHICH ALLOWS THE SHERIFF TO DEPUTIZE CERTIFIED POLICE OFFICERS OF THE GPA FOR THE SOLE PURPOSE OF TRAFFIC CONTROL AND DIRECTION ON PUBLIC ROADWAYS OR PUBLIC ROADWAY INTERSECTIONS WITHIN ONE MILE OF GPA POLICE JURISDICTION.

ACTION OF THE BOARD:

Commissioner Farrell moved to approve an agreement with Georgia Ports Authority (GPA) which allows the Sheriff to deputize certified police officers of the GPA for the sole purpose of traffic control and direction on public roadways or public roadway intersections within one mile of GPA police jurisdiction. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

AGENDA ITEM: X-6
AGENDA DATE: October 5, 2007

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: R. Jonathan Hart, County Attorney

ISSUE:

To approve an agreement with Georgia Ports Authority ("GPA") which allows the Sheriff to deputize certified police officers of the GPA for the sole purpose of traffic control and direction on public roadways or public roadway intersections within one mile of GPA police jurisdiction.

BACKGROUND:

GPA has requested that the Sheriff deputize certified police officers of GPA for the sole purpose of traffic control and direction on public roadways or public roadway intersections within one mile of GPA police jurisdiction.

FACTS AND FINDINGS:

1. GPA peace officers may enforce law on the private streets and roads of GPA. In order for the GPA officers to provide traffic control and direction on public roadways, it has requested the Sheriff to deputize GPA peace officers.

2. The proposed agreement with GPA authorizes the Sheriff to deputize GPA peace officers for the sole purpose of traffic control and direction on public roadways or public roadway intersections within one mile of GPA police jurisdiction.

3. The County Attorney's Office has reviewed the agreement and made suggested changes which GPA has incorporated into the final document.

4. Under the agreement, GPA is responsible for all costs related to using GPA peace officers for traffic control and direction. GPA officers are considered as GPA employees in the event of an injury. GPA will defend and indemnify the County and the Sheriff's Department, to the extent allowable by law.

FUNDING:

No funding is being requested because GPA is completely responsible for any funding.

POLICY ANALYSIS:

The proposed agreement with GPA is the appropriate mechanism for specifying the legal obligations of the parties. The Sheriff is agreeable to GPA's request to deputize its peace officers.

ALTERNATIVES:

1. Approve an agreement with GPA which allows the Sheriff to deputize certified police officers of GPA for the sole purpose of traffic control and direction on public roadways or public roadway intersections within one mile of GPA police jurisdiction.

2. Do not approve an agreement with GPA which allows the Sheriff to deputize certified police officers of GPA for the sole purpose of traffic control and direction on public roadways or public roadway intersections within one mile of GPA police jurisdiction.

RECOMMENDATION:

Alternative 1.

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7. REQUEST BOARD APPROVAL OF AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY AND CAT TO ENABLE CAT TO DRAW UPON A LINE OF CREDIT ON AN AS-NEEDED BASIS TO FUND ITS OPERATIONS. (NOTE: Item also appears on the CAT agenda, IV-3.)

ACTION OF THE BOARD:

Commissioner Farrell moved to approve an amendment to the intergovernmental agreement between the County and CAT to enable CAT to draw upon a line of credit on an as-needed basis to fund its operations. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

AGENDA ITEM: X-7
AGENDA DATE: October 5, 2007

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: R. Jonathan Hart, County Attorney

ISSUE:

To request Board approval of an amendment to the intergovernmental agreement between the County and CAT to enable CAT to draw upon a line of credit on an as-needed basis to fund its operations.

BACKGROUND:

On August 24, 2007, the Board approved an intergovernmental agreement with CAT to draw upon a line of credit on an as-needed basis to fund its operations. The agreement inadvertently did not include modifications recommended by bond counsel Tom Gray. The amended agreement incorporates the recommended changes.

FACTS AND FINDINGS:

1. The amended intergovernmental agreement with CAT cites the legal authority for an intergovernmental agreement and provides that the line of credit with Wachovia Bank, N.A. will not exceed \$1,500,000.

2. The amended intergovernmental agreement with CAT clarifies that if CAT defaults upon its payment obligations under the line of credit, the County shall pay directly to Wachovia Bank, N.A. the amount which is in default.

ALTERNATIVES:

1. Approve an amendment to the intergovernmental agreement between the County and CAT to enable CAT to draw upon a line of credit on an as-needed basis to fund its operations.

2. Do not approve an amendment to the intergovernmental agreement between the County and CAT to enable CAT to draw upon a line of credit on an as-needed basis to fund its operations.

FUNDING:

No funding is being requested. The County would be contingently liable if CAT defaults.

POLICY ANALYSIS:

The amended agreement includes changes that were inadvertently not included with the previously approved agreement and is consistent with the intent of the parties to provide CAT a line of credit.

RECOMMENDATION:

Alternative 1.

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Confirmation of emergency repairs to the south side exterior wall of the Parking Garage	Facilities Maintenance & Operations	Metro Waterproofing, Inc.	\$19,400	Parking Garage Fund
B. Annual contract with automatic renewal option for four (4) additional one (1) year terms for logistical and staff support for disaster recovery	CEMA	Deployed Resources	Varies by service	As Required
C. Change Order No. 1 to the annual contract for uniform rental services contract for additional style uniforms	Facilities Maintenance & Operations	Aramark Uniform Services	\$398 annually	General Fund/M&O - Facilities Maintenance and Operations
D. Change Order No. 1 to the annual contract for fire extinguisher services to provide services for the Chatham County Drug Court	Court Administrator	Hendrix Fire Protection	\$156 annually	General Fund/M&O - Court Administrator

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
E. Change Order No. 1 and Change Order No. 2 to the annual contract for canal and landfill mowing services contract to add Thomas Avenue Landfill and the Pine Barren waste water treatment facility	Public Works	Myer and Son, Inc.	\$1,650 annually	•Solid Waste - Restricted •Water and Sewer
F. Annual contract with automatic renewal options for four (4) additional one (1) year term to provide appraisals for damaged vehicles	Finance	Owens Claim Services	Varies by service	Risk Management - Claims and Judgements
G. Upgrade of the Storage Area Network system	ICS	Xiotech (Sole Source)	\$29,403	General Fund/M&O - ICS
H. Change Order No. 1 to the engineering services contract for the Skidaway Road Widening project for additional services	Engineering	Thomas and Hutton Engineering	\$84,600	SPLOST (1985-1993) - Skidaway Road Widening Project
I. 20 Motorola digital radios	Detention Center	Motorola Communications (State Contract)	\$48,785	General Fund/M&O - Detention Center
J. Purchase and installation of a backflow preventor	Water and Sewer	Water/Wastewater Contractors	\$18,506	Water and Sewer
K. Change Order No. 1 to the contract for the roof trusses construction at the Aquatic Center for additional services	Aquatic Center	The Industrial Company (TIC)	\$20,000 (Net effect is zero dollars due to \$20,000 deduction from Pocopson Industries purchase order)	2005 DSA Bonds - Aquatic Center Roof
L. Contract for the purchase and installation for the grinder pump and water main at the Juvenile Court facility	Juvenile Court	Southern Champion Construction, Inc.	\$104,580	CIP - Juvenile Court
M. Consulting and grant application services contract	ICS	Silver Business Development, Inc.	Not to Exceed \$25,000	General Fund/M&O - ICS

ACTION OF THE BOARD:

Commissioner Farrell moved to approve Items 8-A through 8-M, both inclusive. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

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XI. FIRST READINGS

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

- 1. THE PETITIONER HAROLD YELLIN, (AGENT FOR M. C. NETTLES ET.AL.,) IS REQUESTING REZONING FOR THE PROPERTY LOCATED AT JOHNNY MERCER BOULEVARD FROM AN R-2-A/TC CLASSIFICATION TO A PUD-IS-B/TC CLASSIFICATION. MPC RECOMMENDS APPROVAL.
 MPC FILE NO. Z-070802-31348-1
 [DISTRICT 4.]**

ACTION OF THE BOARD:

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

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2. **THE PETITIONER, HAL KRAFT (AGENT FOR BLANCHARD AND CALHOUN COMMERCIAL) IS REQUESTING REZONING FOR 5800 AND 5806 OGEECHEE ROAD FROM AN R-A (RESIDENTIAL-AGRICULTURE) TO A P-R-13-18 (PLANNED RESIDENTIAL MULTI-FAMILY RESIDENTIAL – 18 UNITS PER NET ACRE). THE MPC RECOMMENDED APPROVAL.**
MPC FILE NO. Z-070817-51764-1
[DISTRICT 7.]

ACTION OF THE BOARD:

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

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3. **THE PETITIONER, HAL KRAFT (AGENT FOR BLANCHARD AND CALHOUN COMMERCIAL) IS REQUESTING REZONING FOR 5800 AND 5806 OGEECHEE ROAD FROM AN R-A (RESIDENTIAL-AGRICULTURE) TO A P-R-13-18 (PLANNED RESIDENTIAL MULTI-FAMILY RESIDENTIAL – 18 UNITS PER NET ACRE). THE MPC RECOMMENDED APPROVAL.**
MPC FILE NO. Z-070817-51764-1
[DISTRICT 7.]

ACTION OF THE BOARD:

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

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XII. SECOND READINGS

1. **TEXT AMENDMENT TO THE CHATHAM COUNTY ZONING ORDINANCE. RE: ADD SECTION 5-6 (WHEN A SITE DEVELOPMENT PLAN IS REQUIRED) TO THE CHATHAM COUNTY ZONING ORDINANCE. THE MPC RECOMMENDS APPROVAL.**
MPC FILE NO. Z-070814-49202-1
TEXT AMENDMENT - UNINCORPORATED AREA.

Chairman Liakakis asked, do we have a motion on the floor?

Commissioner Stone said, so moved, Mr. Chairman. Commissioner Holmes said, second.

Chairman Liakakis said, we have a motion on the floor and a second to approve that text amendment.

Commissioner Shay said, some discussion. First, from the County Attorney. I have a very subtle but I think important way that I would like the final enacted thing to read a little bit differently than what's been proposed in the amendment and I'm wondering first of all, Mr. County Attorney, do we as the elected officials that represent the unincorporated area have the legal authority to make an amendment to something that's been sent to us by the Metropolitan Planning Commission of our own volition? County Attorney said, yes. Commissioner Shay said, okay. Well, the only thing I'd like to say is right now it says under the enacted portion: "A site development plan shall be required for all proposed non-residential and multi-residential development." We just had an example of somebody that's coming forward. I would like to see that worded differently so that it says: "A site development plan shall be required for all developments other than single family residential only uses. So if it's a single family residential only proposed use, it would be exempt from the site plan recommendations, but if somebody came forward and they wanted to do something in a single family

residential zone that was other than residential, that it would still be required to come before the MPC for a site plan approval. So I'd like to propose that as an amendment. Commissioner Kicklighter said, second.

Commissioner Stone said, I would accept that in my motion.

Chairman Liakakis said, okay, we need — let's go on the board for the amendment to that motion. The motion carried unanimously. [NOTE: Commissioners Odell and Thomas were not present.] Chairman Liakakis said, the motion passes.

Chairman Liakakis said, now we need a motion on the — well, you made that motion. Do we have a second on it? Commissioner Kicklighter said, Dr. Thomas and Odell is not here. Let me clear hers. Chairman Liakakis said, okay. Let's go on the board for the original motion. The Clerk said, she accepted the motion. Commissioner Stone said, I accepted the amendment to the motion. Commissioner Shay said, the main motion as amended carries. Is that what we're saying? The Clerk said, yes. Chairman Liakakis said, oh, okay.

ACTION OF THE BOARD:

Commissioner Stone moved to approve the text amendment to the Chatham County Zoning Ordinance adding Section 5-6 (When a Site Development Plan is required) requiring that a site development plan shall be required for all developments other than single family residential only uses. Commissioner Holmes seconded the motion and it carried unanimously.

AGENDA ITEM: ~~XI-1~~
AGENDA DATE: ~~September 21, 2007~~
AGENDA ITEM: XII-1
AGENDA DATE: October 5, 2007

TO: BOARD OF COMMISSIONERS
THRU: R. E. ABOLT, COUNTY MANAGER
FROM: THOMAS L. THOMSON, EXECUTIVE DIRECTOR

LEGAL NOTICE/AGENDA HEADING:

Text Amendment to the Chatham County Zoning Ordinance
Re: Add Section 5-6 (When a Site Development Plan is required) to the Chatham County Zoning Ordinance. The MPC recommends approval. MPC File No. Z-070814-49202-1

ISSUE: Adding Section 5-6 (When a Site Development Plan is required).

BACKGROUND: The purpose of the proposed text amendment is twofold: 1) to clarify when a site development plan is required by the Zoning Ordinance; and, 2) to close a "loophole" that allows some non-residential and multi-family developments to avoid site plan review by the MPC (whether by the Planning Commission or planning staff).

FINDINGS:

1. **Existing Site Plan Criteria.** The chart below identifies the various circumstances that determine when a site development plan is required by the County's Zoning Ordinance.

Criteria	Zoning Section
Property is located in a Planned ("P") District	4-6.52
Property is located in a Planned Unit Development ("PUD")	4-6.52
The project will be part of a group development	5-5
The proposed use requires site plan review	Various uses in 4-5.1 and 4-5.2, and other sections

2. **Why Existing Criteria are Insufficient.** The existing criteria limit site development plan review by MPC to only certain zoning districts; certain uses; and group developments:
 - o Properties with a Planned District or a Planned Unit Development District designation require review. However, not all zoning districts (approximately 56) are included in these categories.
 - o Some uses, such as self-storage warehouses, building suppliers, and recycling centers required Planning Commission review. However, other uses that are more intensive and that may be developed next to residential areas do not have this requirement.

- o Group developments include “two or more principal buildings devoted to a common similar or compatible use” (Sec. 5-5). This provision does not recognize that a project could be phased for future additions. Until a second building is proposed, site plan review is not required if the other criteria do not apply.

Each criterion has a loophole that could prevent MPC from reviewing a site development plan if another criterion does not apply. In these cases, site development review for zoning compliance would then become the responsibility of County Building Safety and Regulatory Services. However, BSRS would not receive a site plan until the time of a building permit request. At the permitting stage, the Engineering Department would have already signed off on a final plan (i.e., a Specific Development Plan). If the plan does not comply with zoning, then it would have to be revised and re-reviewed which could result in a substantial loss of time and money for the developer. Zoning review should be among the first items to be verified in the site development process to prevent this from occurring.

3. **Proposed Change.** The existing process could be improved and simplified by requiring that all non-residential uses (i.e., commercial, industrial, institutional) and multi-family uses (three or more dwelling units) be subject to MPC site development plan review. This will ensure that all such development will be reviewed consistently and that zoning issues will be identified before engineering drawings are submitted. It will also provide an opportunity to inform the public (if necessary) and reduce the potential for conflict between residential and non-residential uses. The proposed text amendment to support this change is attached.

ALTERNATIVES:

1. Approve the proposed text amendment.
2. Do not approve the proposed text amendment.
3. Approve an alternate text amendment.

POLICY ANALYSIS: The proposed amendment will provide more clarity as to when a site development plan is required. Instead of relying on a variety of circumstances, the site plan requirement will be based only on two types of uses—non-residential and multi-family. This approach will eliminate confusion about the existing circumstances and allow for greater review consistency.

RECOMMENDATION: The MPC and Director of Building Safety and Regulatory Services recommended **APPROVAL** to add Section 5-6 (When a Site Development Plan is required) to the Chatham County Zoning Ordinance.

**Amendment to the Chatham County Zoning Ordinance
MPC File No. Z-070814-49202-1**

ENACT

Sec. 5-6. When a Site Development Plan is Required.

A site development plan shall be required for all proposed non-residential and multi-family residential development. Such plan may be required for proposed one and two-family residential development in local historic districts and where provided elsewhere in this Article.

For non-residential and multi-family residential development, a site development plan shall include all applicable criteria identified in Section 4-6.5 (Planned District), elsewhere in this Article, and on any form required for submission of the plan.

PREPARED BY: Jim Hansen, AICP, Director
Development Services

August 21, 2007

Gregori Anderson, Director
BUILDING SAFETY AND REGULATORY SERVICES



C H A T H A M C O U N T Y - S A V A N N A H

METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

DATE: AUGUST 21, 2007
TO: CHATHAM COUNTY COMMISSION
FROM: METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC ZONING RECOMMENDATION

PETITION REFERENCED:
Text Amendment to the Chatham County Zoning Ordinance
Re: Adding Section 5.6 (When a Site Development Plan is Required) to the Chatham County Zoning Ordinance.
MPC File No. Z-070814-49202-1

MPC ACTION: Approval to add Section 5-6 (when a Site Development Plan is required) to the Chatham County Zoning Ordinance.

MPC STAFF RECOMMENDATION: Approval to add Section 5-6 (when a Site Development Plan is required) to the Chatham County Zoning Ordinance.

MEMBERS PRESENT: 13 + Chairman

- | | |
|--------------------------------|---------------------------|
| Stephen R. Lufburrow, Chairman | Robert Ray, Vice-Chairman |
| Jon Todd, Secretary | Susan Myers, Treasurer |
| Russ Abolt | Michael Brown |
| Freddie Gilyard | Shedrick Coleman |
| Douglas Bean | Timothy Mackey |
| Adam Ragsdale | Lacy Manigault |
| David Hoover | Ben Farmer |

- | | | |
|---------------------------------|-------------------------------------|---|
| <u>VOTING FOR MOTION</u> | <u>VOTING AGAINST MOTION</u> | *ABSENT OR
**FAILING TO VOTE |
| Stephen Lufburrow | | **Michael Brown |
| Robert Ray | | |
| Susan Myers | | |
| Jon Todd | | |
| Russ Abolt | | |
| Douglas Bean | | |
| Shedrick Coleman | | |
| Ben Farmer | | |
| Freddie Gilyard | | |
| David Hoover | | |
| Timothy Mackey | | |
| Lacy Manigault | | |
| Adam Ragsdale | | |

FOR APPROVAL: 13 **FOR DENIAL:** 0 **ABSTAINING:** 0

Respectfully submitted,

/s/

Thomas L. Thomson
Executive Director

/cbm
Enclosure

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**2. TEXT AMENDMENT TO THE CHATHAM COUNTY ZONING ORDINANCE. RE: AMEND SECTION 4-6.612 PUD-IS-B (PLANNED UNIT DEVELOPMENT INSTITUTIONAL). THE MPC RECOMMENDS APPROVAL.
MPC FILE NO. Z-070814-57322-1.
TEXT AMENDMENT - UNINCORPORATED AREA.**

Commissioner Odell said, move for approval. Commissioner Kicklighter said, second. Commissioner Odell said, unless Harold [Yellin] just wants to talk.

Chairman Liakakis said, okay. We have a motion on the floor and a second. Let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes. Harold [Yellin], thank you. You're excused.

ACTION OF THE BOARD:

Commissioner Odell moved to approve an amendment to the Chatham County Zoning Ordinance Section 4-6.612 PUD-IS-B (Planned Unit Development Institutional) to more closely align the permitted uses found therein to coincide with the PUD-IS-B uses permitted in the City of Savannah Zoning Ordinance. Commissioner Kicklighter seconded the motion and it carried unanimously.

AGENDA ITEM: ~~XII-1~~
AGENDA DATE: ~~September 21, 2007~~
AGENDA ITEM: XII-2
AGENDA DATE: October 5, 2007

TO: BOARD OF COMMISSIONERS
THRU: R. E. ABOLT, COUNTY MANAGER
FROM: THOMAS L. THOMSON, EXECUTIVE DIRECTOR

LEGAL NOTICE/AGENDA HEADING:

**Text Amendment to the Chatham County Zoning Ordinance
Re: Amend Section 4-6.612 PUD-IS-B (Planned Unit Development Institutional)
The MPC recommended approval. MPC File No. Z-070814-57322-1.**

Issue:

It is proposed that an amendment to the PUD-IS-B classification of the Zoning Ordinance be made to more closely align the permitted uses found therein to coincide with the PUD-IS-B uses permitted in the City of Savannah Zoning Ordinance.

Background:

Although the Chatham County and City of Savannah Zoning Ordinances are similar in their design and content, subtle differences occur. One of these is in the list of permitted uses allowed in the PUD-IS-B districts. All else being equal, the County regulations do not permit residential uses by right, whereas the City does. In part, because land under the jurisdiction of the County is often annexed into the City and because the MPC is undertaking an ordinance rewrite and unification, an amendment is being proposed to more closely align the two ordinances.

Findings:

1. The PUD-IS-B zoning district is considered to be a transitional classification often used as a buffer between more intensive commercial uses and nearby residential uses. The County district allows for the establishment of cultural facilities, offices for health providers, a health service clinic (including pharmacy), general office uses, and other uses as approved by the MPC and legislative body. The uses allowed in the City Ordinance are identical except that townhouses, row houses, and/or condominium units are also allowed to a maximum density not to exceed 24 units per acre.
2. Multifamily, higher density residential uses are also most often considered to be buffers between more intensive uses and traditional single family neighborhoods. Certainly townhouses, row houses and condominium units fit that description and are recognized as such in the City Ordinance. The proposed text amendment would also make said uses allowable in the County PUD-IS-B district. The MPC,

in conjunction with the County and City governments, is currently in the midst of a zoning code revision process, the purpose of which is to create a unified zoning ordinance. A part of that process is designed to establish uniformity rather than to have differing standards and uses in like districts within the community. The proposed amendment seeks to create such a district by making the provisions of each equal.

Alternatives:

1. Approve the request to amend the Ordinance.
2. Deny the proposed text amendment.

Policy Analysis:

Most ordinances, and in particular the Zoning Ordinance, are not static documents. They need, from time to time, to be amended to reflect changing community values, changing land use trends, or to remove or clarify provisions which are ambiguous, unclear, or confusing. The amendment proposed is designed to both remove any ambiguity about usage and to make the uses allowed in the County PUD-IS-B district equivalent to those use allowed in the City PUD-IS-B district.

RECOMMENDATION: The MPC and Director of Building Safety and Regulatory Services recommended **APPROVAL** of the request to amend Section 4-6.612 PUD-IS-B (Planned Unit Development Institutional) of the Chatham County Zoning Ordinance as follows:

ENACT

Section 4-6.612 Planned Unit Development Institutional (PUD-IS-B)

Definition: Under this district, institutional, professional, or office development, and residential townhouses, row houses, and/or condominium units shall be permitted on a lot or tract of land consisting of less than three acres. The net dwelling unit density for this zone shall be established at the time of rezoning. The density to be established shall be recommended by the Metropolitan Planning Commission, but shall not be more than 24 units per net acre. In establishing a density standard, the MPC shall consider the following conditions, among others:

- 1) **The traffic to be generated by the proposed development in comparison to uses permitted under the existing zoning classification.**
 - 2) **The capacity of water and sewer systems to accommodate the proposed development.**
 - 3) **Compatibility of the development with the surrounding land uses.**
- a. ~~Definition: Any institutional, professional, or office development consisting of less than three acres.~~ **Permitted uses.**
6. **Multifamily residential uses as follows: townhouse, row house, and/or condominium units at a maximum density of not more than 24 units per net acre.**

PREPARED BY: Jim Hansen, AICP, Director
Development Services

August 21, 2007

Gregori Anderson, Director
BUILDING SAFETY AND REGULATORY SERVICES



C H A T H A M C O U N T Y - S A V A N N A H

METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

DATE: August 21, 2007
TO: CHATHAM COUNTY COMMISSION
FROM: METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC ZONING RECOMMENDATION

PETITION REFERENCED:
Text Amendment to the Chatham County Zoning Ordinance
Re: Amend Section 4-6.612 PUD IS-B (Planned Unit Development Institutional)
MPC File No. Z-070810-57322-1

MPC ACTION: Approval of the request to amend Section 406.612 PUD –IS-B (Planned Unit Development Institutional)

MPC STAFF RECOMMENDATION: Approval of the request to amend Section 406.612 PUD –IS-B (Planned Unit Development Institutional)

MEMBERS PRESENT: 13 + Chairman

- | | |
|--------------------------------|---------------------------|
| Stephen R. Lufburrow, Chairman | Robert Ray, Vice-Chairman |
| Jon Todd, Secretary | Susan Myers, Treasurer |
| Russ Abolt | Michael Brown |
| Freddie Gilyard | Shedrick Coleman |
| Douglas Bean | Timothy Mackey |
| Adam Ragsdale | Lacy Manigault |
| David Hoover | Ben Farmer |

VOTING FOR MOTION
Stephen Lufburrow
Robert Ray
Susan Myers
Jon Todd
Russ Abolt
Douglas Bean
Shedrick Coleman
Ben Farmer
Freddie Gilyard
David Hoover
Timothy Mackey
Lacy Manigault
Adam Ragsdale

VOTING AGAINST MOTION

***ABSENT OR **FAILING TO VOTE**
**Michael Brown

FOR APPROVAL: 13 **FOR DENIAL:** 0 **ABSTAINING:** 0

Respectfully submitted,

/s/

Thomas L. Thomson
Executive Director

/cbm
Enclosure

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NOTE: Item #3 was tabled at the September 7, 2007, meeting.

- * 3. **THE PETITIONER, GREGORY DEAN ELMGREN, IS REQUESTING TO REZONE 124 QUACCO ROAD FROM AN R-1 (SINGLE FAMILY RESIDENTIAL - 5 UNITS PER NET ACRE) TO A P-B-1 (PLANNED BUSINESS LIMITED). THE MPC RECOMMENDED DENIAL. MPC FILE NO. Z-070430-40223-1 [DISTRICT 7.]**

Note: This map amendment was heard at the July 6, 2007, meeting and was acted on as a second reading. The petitioner's attorney had requested through the Building Safety and Regulatory Services office that it be scheduled for first reading on July 6, 2007. BSRS will run an additional advertisement for second reading on July 20, 2007.

At the July 20, 2007, meeting the item was referred back to MPC and the County Attorney. The County Attorney's opinion is attached.

At the September 7, 2007, meeting the item was tabled to September 21, 2007.

(NOTE: On September 17, 2007, attorney for applicant requested item be delayed until October 5, 2007.)

Chairman Liakakis said, you have in your packet the County Attorney's opinion and —. County Manager Abolt said, staff presentation. Chairman Liakakis said, we'll have the MPC, but do we need to have your opinion right now before he speaks?

County Attorney Hart said, no. I think at this point the information is what — y'all have got a decision to make and you just need to listen to the information.

Chairman Liakakis said, all right. Identify yourself please and do the presentation for the MPC.

Mr. Jim Hansen said, thank you, Chairman Liakakis and members of the Commission. My name is Jim Hansen representing the MPC and I'm sorry there's nothing here for me to lower the screen. Chairman Liakakis said, John [Savage], so that they can do the presentation, how about getting that remote for him. Mr. Hansen said, hopefully, sir, I hope it comes up on —. Chairman Liakakis said, it's on the screen right here, but just hold off a minute until he gets the — to lower the screen, the device for that.

County Manager Abolt said, Mr. Chairman, we have it on our screen right here. For the sake of those participating in the hearing, if you'd like to stand up until we can move the screen down, they can look at our monitor right here.

Chairman Liakakis said, well, let's do this. Let's wait. They're supposed to be bringing it right here and we've got some other people in the audience that might want to — in addition to them — that might want to comment on that if there's anybody there. [Pause.] Chairman Liakakis said, okay, we're ready.

Mr. Hansen said, Mr. Chairman, it will take just a second for the cameras on the screen to adjust. Thank you, Mr. Chairman, and sorry for the delay. The issue before us is a request to rezone approximately 1.12 acres of land, a parcel located at 124 Quacco Road. The request is to rezone this property from an R-1, that is an existing single family residential classification, to a P-B-1, a planned business limited classification. What you have on the screen before you is a context map to show you the general location of this particular property. What is on the screen now is a further context. This particular map shows the property as being crosshatched. It shows you the existing land uses that are in close proximity to this particular piece. As you will note on the map, most of the area around the subject site is residential in nature or is currently undeveloped.

Commissioner Kicklighter asked, which piece of property is this? Mr. Hansen said, it's the property that's crosshatched, sir, on your map.

Mr. Hansen said, the petitioner, as I mentioned, is requesting a rezoning so that they might be allowed to continue use of what heretofore has been classified as a home occupation. Shortly after purchasing this property the petitioner applied to the County to use the property a home occupation at this location. That particular request was granted; however, subsequently there was a complaint filed by someone — we do not know who that someone is. The rules of the BSRS do not allow to understand or to know who that complaint was; nonetheless, there was a complaint filed. The inspectors went out to the property, conducted a look at the property and determined that, one, the house is being used for a graphics arts studio; two, that the rear portion of the property was being used to store lawncare and landscaping materials, including not only the equipment, but the materials itself; and, three, there appeared to be no one occupying, no one residing in the house. Now, the requirements for a home occupation say there can be no traffic other than what is normally considered to be associated with the particular use, that there should be no more than 25% of the house occupied or used for the home occupation, and clearly in this instance, those matters were not being met.

Mr. Hansen said, placed on the screen now for your information is an area view of the site. We're talking — this is the property in question. Commissioner Kicklighter asked, where is Highway 17? Right below it? Mr. Hansen said, it would be — it's not actually on the map. It would be below. Commissioner Kicklighter asked, very close to being in the picture though? Mr. Hansen said, the subject property is approximately one-quarter mile distance from Highway 17, just a little over 1,300 feet from Highway 17. This particular picture that is before you now was actually taken in 2005. This is the subject property as it appears today in 2007, and this is a blowup of that picture.

Chairman Liakakis said, hold it. Let me ask you a question. Mr. Hansen said, yes sir. Chairman Liakakis asked, in other words, this was requested for a home occupation originally? Mr. Hansen said, initially, Chairman Liakakis, when the petitioner purchased the property, they applied to the County for a home occupation permit. Once the citation was issued that found them not to be in compliance with the home occupation rules and regulations, they then applied for the rezoning. What we have before us today is a rezoning request. It really has nothing to do with the home occupation. I merely give you that really as background to tell you how we got to where we are today. Chairman Liakakis asked, so all of this was set up to change, and it was set up before this was approved by the Commission? All of this activity and buildings and all? Mr. Hansen said, let me direct you back to the aerial photo from 2005. What you will notice on the site is that in this particular structure there were some outparcels, rather outbuildings in the back already in existing prior to this petitioner purchasing the property. These pictures then which date 2007 show what the property looks like today and the fact that there has been, as is evidenced by this picture, you can see that there's been a lot of activity. There is storage and materials both under the shed and in the back of the particular property in question.

Commissioner Kicklighter asked, when was the — what was the month the picture was taken in '05 versus the month it was taken here? It appears to me it may be wintertime in the latter picture, which would kill all of the grass, and the first one appears to be in the middle of summer. Mr. Hansen said, the '05 was taken — actually the exact date is April 11th — I'm sorry, February. The creation date was February 12th. Commissioner Kicklighter asked, which one? Commissioner Thomas said, the one we're looking at. Mr. Hansen said, February 12, '05, is the picture you have before you now. The picture on the screen now is February 3rd, '07. And what I've now placed on the screen for your information is a copy of the recently adopted Future Land Use Map for the Chatham County Comprehensive Plan. What this shows, and we're talking about the site being in this location, is that the site and more of the surrounding properties have been planned for and have been designated for residential development. It is for this reason that the MPC unanimously recommended denial of this particular request and so forwarded it to you. Commissioner Kicklighter asked, Mr. Hansen, what's the depth of the site? The depth? How many feet deep? Mr. Hansen said, Commissioner Kicklighter, it's 200. Commissioner Kicklighter said, 200. Okay, thank you, sir.

Commissioner Kicklighter said, Mr. Chairman and Commission, with your permission, I'd just like to give you my opinion being this is my district. I first want to thank the County Attorney Jonathan Hart, Mr. Hansen, everyone for y'all working together and coming up with all the information that we needed. Basically, and after really looking at all of this, the way I kind of see it is currently the petitioner had been zoned R-1, which is residential. It's almost itself just deceptive about digging in. With this particular zoning you can put five residential dwellings per acre. So on that one acre abutting this busy road of Quacco, you could have five homes sitting there with the current zoning. That's in the paperwork. That's in this stuff I've been reading.

Mr. Hansen said, Mr. Chairman, Commissioner Kicklighter, yes, essentially that is correct. There is and I would caution you to say that there is the theoretical density and there is the practical density, but yes, the R-1 would allow that density.

Commissioner Kicklighter said, what their petition to do here, P-B-1, is Planned Business Limited, so it would be my understanding that they would have to — if approved, they would have to come in front of the MPC for an approval of — to locate the business there and at that point the MPC could put in setbacks or whatever to meet whatever they desire to happen there. Mr. Hansen said, Chairman Liakakis and Commissioner Kicklighter, yes, it would have to come to the MPC for approval, but all of the zoning districts within the County's ordinance have specific development standards already in place, and this certainly would have to subscribe to whatever those development standards are for this particular district. It is possible that the MPC could, as a condition, suggest or recommend that there be, for instance, additional screening or buffering, but the actual setbacks and so on are already prescribed. Commissioner Kicklighter said, not setbacks, but steps for screening and buffering. Okay, well, being the representative for that area and looking towards the future, planning for the future, whatever will happen for the future, reacting to the future, I would state that currently that particular road, Quacco Road, is basically nothing but an extension of a major thoroughfare, which is the Pooler Parkway. So it's a crossroad that connects a major intersection — major intersections as Highway 17, it connects to I-16, I-95, running all the way into the airport. Future Plans has us four-laning that road and possibly even connecting that to Veterans Parkway. So what we have is a major thoroughfare at the moment, but we have something just unbelievably big in the future when we look ahead. I believe that it would be in the best interest of the County and definitely whoever is representing that area once all that takes place. To plan for the future now and send this — not this particular — I will make a motion to approve this — but it needs to be sent back to the MPC to take a look at the overall Comprehensive Plan for Quacco Road and possibly at this point the Comprehensive Plan should include commercial, planned commercial along the entire roadway and, you know, I'm personally not a big fan of having homes abutting major highways, and what will happen, you know, it could be a mess. It could be an absolute mess, and logically if that road is turned commercial, that's the logical thing to do here, take it back X-amount of feet, but normally when you do a road like that, you start at two – three hundred feet off of the road, going back to five hundred feet or whatever it may be, but that's the way I'll say the MPC should look at it, but that road is already a major thoroughfare and it's going to steadily increase and, to me, I see a lot less harm done when the MPC can oversee the development that they planned business district restricted — planned business limited, when they can put the bumpers and everything in place to make it nice and visibly pleasing versus having up to five homes per acre sitting on this major roadway. So at this point, I will make a motion to approve the request and, in addition, I request the MPC to take another look at Quacco Road and consider changing the Comprehensive Land Use Plan on Quacco Road from R-1 to P-B-1.

Chairman Liakakis recognized Commissioner Stone. Commissioner Stone said, well, I was going to see if he had a second. Chairman Liakakis said, wait a minute. Do we have a second before we discuss it?

Commissioner Gellatly said, I don't have a problem with the last half of the request, but I have a problem with the first half.

Chairman Liakakis asked, to allow it? What you're saying now is that the MPC, they have gone — this is that big study that the MPC has done, Mr. Hansen, and this is what they are asking, the single family residential, that's what is being set as, as that residential as opposed to commercial? Mr. Hansen said, correct, Chairman Liakakis, members of the Commission. As you will recall, certainly the development of the joint City/County Comprehensive Plan was several years in the making, recently approved by both the City and this body, and what I have shown you on the screen before you, albeit as a small portion of that particular plan, but it shows this area in question, and the plan as adopted by you designates this area for residential use. You will note on the plan as well, this is Highway 17 and you'll notice that at the corners where there is existing commercial, there's a convenience store, I believe, on the one corner with some associated boat sales, on the other corner is a muffler auto repair and so on, that that has been acknowledged and has been planned for, but the rest of Quacco Road at this time is planned for residential development.

Commissioner Odell asked, what was the MPC vote?

Chairman Liakakis said, wait a minute. Hold it, hold it just a minute. Do we have a second on this? We don't have a second at this time. So we'll have to go into other discussion on it. Now, we can have discussion not on that motion, Dean [Kicklighter], but we can discuss the overall thing at this point, and then you can still bring it back up. Commissioner Odell said, bring your motion up.

Commissioner Odell said, okay. At this point, I would like to make a motion to approve the request and then when we can discuss after we have a second. And I will certainly remember this when you feel strongly about your own district and in an area in which I know nothing about when you do, if we don't at least get to openly discuss this. [No response from Commissioners.]

Chairman Liakakis said, we don't have a second, so let's discuss it. Dean [Kicklighter], you can still bring this up. We haven't discussed it.

Commissioner Kicklighter said, well, Mr. Chairman, if you ride up and down Quacco Road at this moment, staff has done a good job, but you can find at any given moment, couches — staff tries to do a good job of picking up the trash on this road thrown out on the area. Couches, beds, chest of drawers, trash all up and down the street. You know, if you take a look at the area and because of the traffic count and future traffic count, logically commercial would be there and commercial would clean up the area. If anyone even is remotely familiar with that street, they would see that. You have commercial one, two — there's two lots separating this particular site and commercial. They're right near Highway 17. In fact, if our plans ever go through to connect with Veterans Parkway, most likely that site will be taken completely out, wiped out by an overpass.

County Attorney Hart said, Mr. Chairman. Commissioner Kicklighter said, it's right at — go ahead. County Attorney Hart said, I was just going to say the petitioner has asked to be heard at some point when you feel is appropriate.

Chairman Liakakis said, okay. Let's — I want to hear the Commissioners and then I will call on them. Helen [Stone]?

Commissioner Stone said, Mr. Chairman, my concern in reading some of the uses — well, there are several concerns that I have. I know that the Comprehensive Land Use Plan that was done was done in conjunction with task force and members of the community, representatives from all over Chatham County. But — and I know from reading the report that the vote from the MPC was unanimous for denial. It concerns me some of the uses that we would be talking about under this proposed zoning. One is an automotive truck and boat trailer sales or rental, commercial seafood processing and packaging, private sewage treatment facility — Commissioner Odell asked, what was the last one? Commissioner Stone said, private sewage treatment facility, utility and recreational sales. Those are not uses that I would want in my neighborhood, and in looking at this map, this clearly abuts a residential area and that's what concerns me, is some of the uses that come under here. The MPC voted unanimously for denial for this. You all are the planning body and this is what you've got on the map, and I just don't think this is the right zoning for this area.

Commissioner Kicklighter said, Mr. Chairman. May I ask — planned business restricted, is that fair to say that that's the most restrictive commercial district that we have? Mr. Hansen said, Chairman Liakakis, Commissioner Kicklighter, I'm not certain I would say that that is the most restrictive, but we have to look also at what the proposed use of the property or what the applicant/petitioner is proposing to use the property for, and in this particular case that is the most restrictive that could still accommodate what they wished to do. Commissioner Kicklighter said, right, but if approved by us today, would that not have to come back in front of the MPC for them to actually approve, because we're changing a zoning, not giving them permission to utilize it for that. So wouldn't they at that point have to come forward and at that point the MPC either approves or not with their conditions and everything? Mr. Hansen said, Commissioner Kicklighter, no. What has to come back to the MPC actually would be their site plan, but if you approve the zoning today on this or any particular rezoning request, then the uses that are allow within that zoning district are allowed on that particular piece of property. So though they may be wishing today to use it for a graphic studio or a landscape company or whatever it is, any of the other uses — and you have those uses listed in your staff report before you — would be allowed by right within that district. Commissioner Kicklighter said, yes sir, I understand that. But what's the point of the plan? Rather than just a flat commercial zone. Could you explain that to people that haven't been involved in it for ten years like me? Mr. Hansen said, I'm not sure if I understand — the plan, the Land Use Plan? Commissioner Kicklighter said, yes sir. You sound kind of like an attorney to me at this moment because I asked you

a question —. Mr. Hansen said, trust me, I'm not. Commissioner Kicklighter said, sir, I asked you is this particular zoning is it one of the most restrictive commercial zones that this County has? Mr. Hansen said, yes, it is. Commissioner Kicklighter said, okay. Thank you. And with a plan, that means they can't just go in with anything and just put it there. What does planned mean? That have to come back to you with a site plan? Mr. Hansen said, correct. Commissioner Kicklighter said, and they have to be approved, right? Mr. Hansen said, correct. Commissioner Kicklighter said, thank you. So, you know, look at anyone of the commercial zones that we have in this County and you can put anything in it and it's — Commissioner, there is no large residential butting up to this property. That's vacant property all behind it, and you're on the major roadway, which will be four-laned before too long, and it's just logical — how many homes sit directly on four-laned roads except for our — we can use the East/West Corridor problem that we're experiencing because no politician really has the guts to possibly take it on — DeRenne — because there's homes sitting there all up and down the road. No one will take the stand and solve the problem. I'm proposing something that will prevent future problems such as what we see on DeRenne. This body — let's let homes, five per acre, be built all up and down that road. We'll never see it four-laned, and we have just messed up traffic throughout a large portion of the westside. This is preventive. A land use plan by definition would mean a plan, not a law. It's a guide to go on, go off of. Things change, plans change. As times change, you need to change plans. At the time this was wrote [sic], maybe it was the best thing, but at this point the MPC should take a look and see that a commercial zone for the future major highway that connects in with an extension of the parkway, is the best use. And I really believe that you can power any study you want, that that entire corridor, the whole roadway should be zoned some type of commercial. We don't need thousands of homes sitting on that major roadway or we're going be a major, major, major mess coming up here in the future as we are on DeRenne, and that's one reason that my people can't get in town and when all of your districts are coming out there to work, they're stuck in traffic. It's because of poor planning back then. We have an opportunity to plan right now for the future, but, you know, I encourage you to take a step and plan it right to start with.

Commissioner Stone said, I was just going to ask a question. Mr. Hansen, if the proposed business ceases to exist there, then any of the uses listed on this sheet can in fact go there. Correct? Mr. Hansen said, yes ma'am, they can. Commissioner Stone said, that's what I thought. Thank you.

Chairman Liakakis asked, Patrick [Shay] did you —?

Commissioner Shay said, I have a breakfast meeting just earlier this week with Mr. Thomson, Director of the MPC, and with Chief Berkow, and one of the things that Chief Berkow talked about in relation to crime prevention through environmental design was, it was very difficult from them to deal with certain situations where commercial properties are planned and built, for example, as a retail operation and then get flipped into another use that's on the list, but they say they make a bar or a nightclub, and instead of having 20 or 30 parking spaces, which is what was required for the retail, they suddenly need 900 parking spaces because that's what is needed when you take the same amount of space and turn it into a discotheque, and his recommendation was that we research what's called conditional uses where you actually place a condition on the property that says, yeah, it fits in that zoning classification, but it can't be converted into anything else without that use being permitted. It's not a solution for the problem today because we don't have that ordinance, I don't think. We don't have that capacity. But I think this does point out one of the reasons why it might be wise for us to consider ordinances that allow conditional uses and do not allow people to flip from one category into another without coming back and getting permission from the MPC or the governing body — in this case, the Commission because it's in the unincorporated area. Just an aside, I guess.

Chairman Liakakis said, the petitioner, come forth please.

Mr. Eric Gotwalt said, Mr. Chairman and Honorable Commissioners, thank you. My name is Eric Gotwalt. I'm here on behalf of the petitioner Gregory Elmgren and his fiancée, Joy Dunnigan. Joy owns the graphic design business that was mentioned. I first want to thank Mr. Hart and Ms. Garrard and also Bob Sebek with your Zoning Office, and your MPC staff. All of them have been extremely helpful. This has dragged out for several months, as you all know from the Chairman's reading. With that being said, we disagree with the MPC's recommendation and I think that you have not been presented with all of the pertinent facts about the surrounding areas in the early MPC presentations. This is the subject property. There's a residential lot immediately adjacent and this large tract here that immediately abuts the rear of my client's property has already been zoned PUD-M-12. That is a high density --- I believe a Multi-Family is allowed in that — up to 12 units per acre. Five hundred feet away is the boundary of this parcel. Even though it is not currently developed, it's been zoned PUD-B-C, Business-Commercial. The PUD-B-C classification will allow very large scale retail development and it's less than 500 feet from Mr. Elmgren's property. This parcel here, which is marked A-T, I believe is roughly 700 feet from my client's property. A-T is classified as Agricultural-Tourism. It allows boat sales lots and, in fact, it's presently being used for a boat sales lot and that is what that property 700 or 800 feet away looks like from Quacco Road. Immediately across from my client's property is a 52-unit mobile home park. So to say that this area is predominantly residential at this time really — and is intended to stay that way — really does not accurately reflect the situation on Quacco Road today, and certainly doesn't reflect the situation that you'll find on Quacco Road once development begins on this PUD-M-12 tract and this PUD-B-C tract.

Commissioner Odell asked, where's the mobile home area? Mr. Gotwalt said, directly across the street. Commissioner Odell asked, and how many units? Mr. Gotwalt said, 52 units.

Mr. Gotwalt said, as part of the materials presented by the petitioner to MPC, we submitted letters signed by the owner of this property, the owner of the property immediately adjacent on the other side of the subject property, and the owner of the mobile home park, and none of those property owners oppose the B-1 zoning classification. Commissioner Odell asked, the mobile home lot is listed as what? How is it ? Mr. Gotwalt said, R-M-H-1. Commissioner Odell

asked, and it's not scheduled to be changed? I guess —. Mr. Gotwalt said, not to my knowledge. Commissioner Odell said, so we've got a graphic designer in the midst or across the street from a mobile home and a new and used boat sales —. Mr. Gotwalt said, down the road. Commissioner Odell said, — down the road. Mr. Gotwalt said, and if I could —. Commissioner Odell said, this doesn't seem like all in the family to me. Mr. Gotwalt asked, what's that? Commissioner Odell said, it doesn't seem like this is a residential all in the family. Mr. Gotwalt said, no sir. This is — this is what the front of the petitioner's property looks like today currently right now and they have no intention of changing the fiscal appearance of the front facade. I guess I should have pointed out that on the other side of Quacco Road there's a large tract zoned R-A, which is Residential-Agricultural. The kind of landscaping operations and equipment that can be stored on R-A are the same types of materials that my client would like to be able to store in the rear of his property screened from view where they can't be seen by residents on the road or people traveling down the road.

Commissioner Odell said, are these — it's Dean's [Kicklighter] district, but just out of curiosity, the landscaping equipment, what are you talking about? Tractors? Mr. Gotwalt said, typically there could be some wood chips, occasionally pine straw, possibly a trailer of pine straw at times. The property is wide enough that that could be very easily screened with additionally landscaping so that the rear is completely screened from view. I

Mr. Gotwalt said, in addition, one of the Commissioners mentioned a conversation with the police chief and the notion of conditional zoning. I don't want to tread on Mr. Hart's area of expertise here, but we think that the Commission has the ability as part of the legislative process of rezoning to include special conditions, whether your ordinance has a specific clause that allows you to do that or not, and our client certainly would be receptive to any special conditions that, for example, would limit this property to use for non-retail professional offices and landscaping nursery — plant nursery type businesses. Neither of these businesses have customers coming to the place of business. Mr. Elmgren's business is all offsite. He uses it for storage and occasionally to stage materials. Ms. Dunnigan has several employees, but all of their client contact is at the client's place of business. So they do not have clients coming to and from the site and don't want to have clients coming to and from the site.

Chairman Liakakis said, okay. Thank you. Mr. Hansen — oh, excuse me. Patrick [Shay], do you want to ask them something?

Commissioner Shay said, I would. It seems this all stems from the desire to have a nonconforming use in a single family zone. And the remedy that's being proposed is to rezone the property in a way that provides no predictability or certainty for what will happen to the property in the future. If the property were granted this zoning change and were sold to somebody else, then any of the sort of uses, sort of commercial Pandora's box would be open to the buyers. Is there not the possibility that the use that's being requested could be permitted as a nonconforming use and that way if the use ever changed, that permission would go away and it would revert instantly to the single family residential requirements? Mr. Gotwalt said, Commissioner Shay, I would defer to your County Attorney on that question. From the petitioner's standpoint, if you wanted to impose special conditions at the time of rezoning limiting the use, we think that those conditions would be enforceable and that anyone who wanted to expand ballistic uses they would have to come back you. Commissioner Shay said, I doubt what you're saying. Mr. Gotwalt said, okay.

County Attorney Hart said, the nonconforming part would not fit in this. Normally, a nonconforming occurs when you rezone the property into something else or grandfather somebody in. If they feel you're no longer within the plan but wants to continue that property as such for as long as you're in business. If you go out of business and you want to take that nonconforming use and make it fit into the zoning scheme that's there. The biggest issue here is a question of conditional zoning. We're in an urban area. We're not Effingham County, for example. Very shortly you may not be able to say that for some place like Effingham County. They're rapidly growing, and the problem you have with special conditional zoning is it destroys your comprehensive plan because everybody is special. Commissioner Shay said, right. County Attorney Hart said, everybody becomes special and then you start zoning conditional uses for single use purposes and you already have 50-some zoning classifications. You wake up one morning and you have 1800 special uses, and if you grant a special use and as the reason for the zoning grows in the exercise of your discretionary function as the governing body as to how zoning should be in the State of Georgia, you run into the issue of whether that's contract zoning. Contract zoning is illegal in this State. Commissioner Shay said, right. County Attorney Hart said, just last week I guess it was, I had to speak to the MPC on the very issue of contract zoning and conditional zoning and I think it was televised and probably bored plenty of people to death. But, you know, that's your problem with getting into conditional zoning. Commissioner Shay said, fair enough. I understand.

Chairman Liakakis said, okay. Mr. Hansen, would you come back up a minute. Take that picture that you showed what's over there right now, the latest picture or the one before it. I want to see it. This is the latest picture? Mr. Hansen said, yes sir, Mr. Chairman, it is. Chairman Liakakis said, well —. Mr. Hansen said, there is — also let me — I have two different views of the property. Chairman Liakakis said, well, let's go back to the first one there. And all of this activity, all of these things are right here where we've got these added vehicles and all of that in there, and some of them look like work trucks and all. Who gave permission for that occur? Mr. Hansen said, Mr. Chairman, I'm not sure that anyone gave permission for that to occur. As I stated in my presentation, clearly when the zoning inspectors went to the property, they determined that the uses were not compliant with the home occupation and they, therefore, cited the petitioner for that noncompliance. I would like to point out to you though, however, that in one of my previous entries — this happens to be the one from 2005 — you will note that these outbuildings were there also in that night. Now the placement of outbuildings, the use of outbuildings in and of itself is not something that is illegal within the R-1 district provided that they meet the development standards. Rather what the inspectors cite was the storage of the landscape material, the use as a graphic design studio and the fact that the building seems to be (a) un-

occupied — that is, no one was living there, and (b) that the entire structure is being used for a business rather than for a residence.

Commissioner Kicklighter asked, the property right up above that, that's not part of it, is it? Where it says site and then you go above it. Higher. That's not part of it, is it? Where it says site and then you go above, higher. Is that part of the property? Mr. Hansen said, no sir, it is not. Commissioner Kicklighter said, what is —, okay, look at that property that I just asked about. Looking at the site then and if you'll notice the second building there, coming back towards Quacco Road is vacant. Okay, now if you'll put the other picture back up, the most recent, up close. What is all that stuff on that property lining the fence line all the way down? Mr. Hansen said, Commissioner Kicklighter, I'm not certain. I have not been to that property so I don't know what the particular use is and what that is.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, just some observations of my comments. If I understood Commissioner Kicklighter, part of his proposal we asked him to split up his motion, was to take a look based on the future growth and highways and what have you that we take it back to the MPC to see if some of that area should be changed, particularly the residential part. I would favor that, and maybe we ought to take a look at the whole thing, but in absence of that this is where I don't agree, we — both the City and the County spent a lot of time and effort to come up with a uniform land use program for the entire County. We all signed off on it, and here we are right into it now ready to make exceptions. I have a problem with that, whether it's in my district or anyone's district. We ought to look long and hard before we do that. I also have a problem when you say you've got the blessings of property owners. Well, I don't think you did. You know, you've got 60-some-odd trailer units in there, occupied trailer units, and you haven't got the opinion of everybody that lives there. Whether it's a trailer or a mansion, that's there home and each and every one of those people are entitled to know what if any impact that's going to have on their home. So I strenuously disagree with you on that part. The commission has not been — the blessing has not been granted by 60-some-odd families in that trailer park. So, at any rate, that's my position. If we wanted to — and I have no reason to doubt my fellow Commissioner at all, but if all this development is going to occur in that area and we have an undeveloped area that for residential — future residential development, maybe that's already out of date and maybe that needs to go back to the MPC for the whole area to be reevaluated. I would support that, but as it stands right now I'm looking at it and I'm looking at an aerial view, but it looks to me that this property, for lack of a better word, looks pretty trashy to me right now and it didn't when — some time ago, but it looks pretty well trashy to me right now. That's my opinion.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, Mr. Chairman, if Commissioner Kicklighter, being the Commissioner that represents this district, would like to make a motion, I guess the second half of the original motion that you made, then I believe that we could go ahead and vote on it, but in the absence of a motion, you know, I don't think that we can just continue to deliberate indefinitely. There's really nothing right now from Robert's Rules of Order that's before us. It's good that we heard everybody speak, the attorney that represents the property owner and so forth, I would just say that if what you want is to restudy the Quacco Road Corridor, however that's done, that needs to be done in a way that allows all of the residents and all of the business owners along that corridor to have a forum in which they can weigh in on whether or not they think the comprehensive plan needs to be revisited. And this is placing, I think, a lot of burden on our staff at a time when they're struggling to get the whole thing approved. But, you know, if you'll make a motion, then we can vote on something. In the absence of that, then I think we need to move on.

Commissioner Kicklighter said, thank you. Then with your permission, Mr. Chairman, at this point I would like to make a motion requesting the MPC to look at the entire Quacco Road Corridor and to consider changing the master — what's the technical term we need to use —? Chairman Liakakis said, the master plan. Commissioner Kicklighter said, the master plan to a commercial type zoning along that area. County Attorney said, comprehensive plan. Commissioner Kicklighter said, comprehensive plan. Commissioner Gellatly said, second.

Chairman Liakakis said, we have a second. Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone asked, and would you be favorable to include in that motion or it probably doesn't need to be included, to incorporate the input of the citizens of that area. Commissioner Kicklighter said, absolutely, yes, please. Commissioner Stone said, so that we do have a feel for what's going on because the thing that again that's got me is if this property were to sell a year from now, I don't know that the people in the surrounding properties would want a private sewage treatment facility right next door, and that could happen and that's what I want to be very careful of is that the way the ordinances are now, the use approval stays with the property and I want to be very careful of that. So, you know, I mean, the zoning stays with the property is what I mean.

County Manager Abolt said, a suggestion if that's the motion you want to make, to be driven by the transition of the corridor based on transportation improvements.

Chairman Liakakis said, okay, we have a motion on the floor and a second. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Odell was not present.] Commissioner Farrell asked, what's the vote because I can't see the board? Commissioner Kicklighter said, it's unanimous. Chairman Liakakis said, okay, good. Motion passes for that.

County Attorney Hart said, Mr. Chairman, I'd like clarification on behalf of staff. Mr. Gotwalt has been very cooperative with us in working with us in regard to this function and he came to me at the time he realized he had a noncompliant

use on that property and he said, well, what if we rezone it, and I said, well, you can rezone it and then you'll become compliant. And he requested at that time that staff not execute the enforcement role of what we normally do when somebody is out of the zoning ordinance, cited him but we've held enforcement of the citation pending what was going to happen in the zoning or rezoning. We're now going to study the corridor and my question to you is whether you wish for staff to proceed with enforcement or hold it pending planning, and we will do at your direction what you choose. The typical situation is we normally go ahead and enforce these things.

Chairman Liakakis said, well, number one, I think this is good that Dean [sic] because he's concerned about that and the Board approved that to go back to them because he's got some legitimate concerns on that. But if we allow that to go, then we have anybody in the entire County, unincorporated areas, that can say that if we allow this, they could petition to allow that also. Correct? Allow them to operate their business there? County Attorney Hart said, we typically take that on a case by case circumstances. If there's, you know, a good faith move towards getting into compliance, we try to work with the folks.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, Mr. Chairman, there was a motion made to rezone the property and it died for a lack of a second. So I think that made it clear that this Board was not prepared to make the change and they're not in compliance with the law right now, and I think if they would like to prevail at least with my vote on the future, then they would need to come into court with clean hands, so to speak, come into the court saying we've gone back, we're in compliance now and we're doing what we're supposed to do under the law, but we'd like to play by the rules and see if we can't get a rezoning in the future. Really, they've come in here sort of saying we're noncompliant and we want you to change the rules so that we can operate our business in the meantime.

Mr. Gotwalt said, Ms. Dunnigan has already relocated her business from this property because of these proceedings. So they have already taken steps to try to comply and get into compliance. I'd like to follow up on something Commission Gellatly said. There was no opposition by any citizen at the MPC or any of the previous meetings before this Board. The comp plan is already out of date because it does not show this [inaudible]. It shows suburban single family residential. So it is already out of compliance with the comp plan because the decision was made on this property approximately a year ago to rezone it PUD-M-12. And the last thing, if I get it one more second, is that your P-B-1 classification indicates that the purpose of this district shall be to create and protect areas in which limited business and certain industrial-like activities which have limited traffic generation potential are permitted. This district is intended to be implied in areas which would not be appropriate for more intensive commercial districts because of the character of the surrounding land uses and other factors. And I think the comments Ms. Stone made about the uses that are permitted, shows what has happened to your ordinance over the years, that the past Commissions have allowed things like private waste water treatment plants and these more intensive developments to be added into the permitted uses in P-B-1, and so I would hope you could look at your B-1 district as well so that people like my client can find a neighborhood type commercial district in which to establish small businesses that don't intrude on the residential character of —. Commissioner Stone said, that's the point.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, not to take issue with you, but to respond to your comment about people in the area, well the fact of the matter is I doubt very seriously that 62 residents of the immediate area in those trailer homes were all contacted and had any input whatsoever as that may or may not impact on their quality of life and where they live. And I will tell you again, whether they live in a trailer home or whether they live in a multi-million dollar home, they're just as much of a citizen of Chatham County as anybody else, and I doubt seriously that — you know, you're talking about 69-some-odd units, probably close to 200 or more people were not given that opportunity to come before the MPC, and I have a problem with that. Thank you.

Chairman Liakakis said, let me say this so that you know the information. When I was on City Council for those eight years, what occurred was they would just notify the next door property or two property owners right there. I brought up that they needed to change that because they were going to approve a garage right next to — close to a residential area, they were going to put a large business in an area right around — on Lincoln Street and there was Presidential on the other side, and with my input into it, the MPC changed that and went at least 200 feet out and sometimes even more to make sure to make sure that the citizens are notified about situations like this because the MPC, if they didn't go and send a notice to everybody over there within that given area, they would not even know about that so they wouldn't have, of course, come to the MPC. That's the situation. Just putting up a sign somewhere, because I had some information on that where they say that, you know, matters coming before MPC, people didn't even know; 98% of the people don't even understand what those particular signs were and didn't come to the MPC. That's why because of my different request the MPC changed some of their actions so citizens would be able to come and attend those things and give there, you know, comments about how they feel about something like that. Well, thank you. We'll move on. Oh, excuse me. Helen [Stone].

Commissioner Stone said, I just want to make one question. You made a very valid point, and that's why in 2001 when I was with the MPC we embarked on this effort to update our land use and all of our zoning ordinances because they have been amended and amended and amended and amended, and this is the result, and I just don't want to put something in an area that would have a negative affect to the surrounding property owners and their property values.

Mr. Gotwalt said, Commissioner Stone, we certainly appreciate that.

Commissioner Kicklighter, Mr. Chairman, I just — to not be misunderstood or anything and I know my buddy Commissioner here didn't mean anything by it, but I too recognize that every person living in every mobile home is as productive of a citizen as someone who lives in a mansion. I know that everyone is notified and, you know, the signs are up and people are mailed letters, so everyone is notified about the meetings, but in representing the — everyone, I must realize that every property owner and most basic right as a property owner in this country is the right to utilize your land for its highest and best use and clearly, as demonstrated, I wish the attorney that I would have gotten him to speak to start with, clearly single family residential is not the highest and best use for this because of what's surrounding it. Chairman Liakakis said, okay —, oh, excuse me. Go ahead. Commissioner Kicklighter said, anyhow —. That's fine. That's good. I'm truly sorry. If this Board would take a ride out and take a peak, they would vote in your favor, but by looking at pictures and what we were presented, I'm truly sorry because now you will have a terribly hard time ever selling your property as a single family residence because it's surrounded by multi-family everywhere around it, as well as retail shopping centers, not to mention it's on a major thoroughfare. So, I'm sorry your highest and best use was taken away today.

Chairman Liakakis said, okay, Mr. Hansen, we'll get back to that because what we did, we just brought that forward because we went to Commissioner Dean —.

Commissioner Kicklighter said, Mr. Chairman, I think since we have the comprehensive plan, if we just follow that from here on. We don't even need to meet. We just — everything's decided. Chairman Liakakis said, no, you can't —. Commissioner Kicklighter said, no. We should just wipe ourselves out because we have this great plan that's just perfect. I mean, if we're not capable to look at something and tell when adjustments should be made, we have the plan, we don't even need to be here.

Chairman Liakakis said, no, even with the comprehensive plan, Dean [Kicklighter], you have to make decisions. Commissioner Kicklighter said, I understand. I was being facetious.

Commissioner Thomas said, the young lady I believe wants to make a —.

Chairman Liakakis said, come up to the mike.

Ms. Dunnigan said, something that Dean [Kicklighter] was talking about as well as what you are concerned about with individuals, I truly understand that that is a concern and that was the reason why I went personally to each one of our adjoining property owners and I sat down with each of them for more than half an hour — [inaudible] are getting to me — and was very, very honest and very, very upfront with them about everything that we had on the property at that time, what our intentions were before we even — and this was after we had been approached and told that we were not in compliance — that I went to them and I was very specific. I said this is what we want to do; if you have an objection, I would much rather have that out on the table before we get to this point and taking each other's time, really valuable time, and not one of them expressed any concern. In fact, they looked very favorable upon it because specifically it's an item that Dean [Kicklighter] brought up. The area is not doing incredibly well from a community prospective. There are a number of issues that we could go on forever about there, but I did want to make that very clear that my intention and my fiancé's intention of coming forth with this rezoning is not one of inconsideration for our neighbors and especially for the community around there. I took — I think combined there's five people around there — I took two and a half hours of my time to explore that possibility before we even came here, and I just wanted to make sure that that was — that was very clear that this is not something that we're trying to be deceitful about or what have you, but at least you know.

Commissioner Kicklighter said, Ms. Dunnigan, two quick questions before you go. Ms. Dunnigan said, yes. Sorry. Commissioner Kicklighter said, would you consider yourself to have the same type of money as, say, a Wal-Mart? Ms. Dunnigan said, no. Commissioner Kicklighter said, okay. Second question: Did this decision today change your life? Ms. Dunnigan said, yes, absolutely. Commissioner Kicklighter said, thank you. Ms. Dunnigan said, from many perspectives. Commissioner Kicklighter said, I thought so. Thank you and I'm sorry.

Chairman Liakakis said, all right. Thank y'all very much. We appreciate it. Thank you for your explanation.

ACTION OF THE BOARD:

A motion made to approve the petition of Gregory Dean Elmgren requesting 124 Quacco Road be rezoned from an R-1 (Single Family Residential – 5 Units Per Net Acre) to a P-B-1 (Planned Business Limited) **DIED** for lack of a second.

No other motion being made on the petition, Commissioner Kicklighter made a motion to refer to the MPC the entire Quacco Road Corridor to consider changing the comprehensive plan to be driven by the transition of the corridor based on transportation improvements, and incorporate the input of the citizens. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

AGENDA ITEM: **XII-3**
 AGENDA DATE: October 5, 2007

INTER-OFFICE CORRESPONDENCE

DATE: August 1, 2007
 TO: Chairman, Board of Commissioners and R.E. Abolt, County Manager
 FROM: R. Jonathan Hart, County Attorney
 SUBJECT: Rezoning of 124 Quacco Road

As directed, the County Attorney met with staff of the MPC to review information and suggestions pertaining to the rezoning of the subject property from R-1 (single family residential - five units per net acre) to P-B-1 (planned business limited). Under the home rule provisions of the Georgia Constitution, the rezoning of property is considered local matters left to the governing body, so long as the zoning decision is not arbitrary or capricious.

The request for rezoning of the property from R-1 to P-B-1 has not been recommended by the Planning Board, in that the proposed change of use is inconsistent with the recently adopted Comprehensive Zoning Plan which shows this area to be residential. The property contiguous to this property is zoned R-1, PUD, M-12 residential) and R-A (agricultural).

Prior to petitioner purchasing said property, and during the due diligence, MPC staff was consulted and informed representatives of petitioner that the current proposed use did not come within the current zoning classification. Subsequently, petitioner sought a home occupation permit which was not appropriate, since the property was not a residence.

After much discussion, there is no way for the County to rezone the property with a proposed "reversionary clause" or "subsequent change in condition clause" that would revert this property to its original zoning classification (i.e. R-1) upon subsequent sale of the property by petitioner. Upon rezoning this property to P-B-1, the petitioner would then have vested rights to all uses permitted within that zoning classification P-B-1.

The petitioner has three potential options.

1. Keep the present zoning and modify the use of the property.
2. Proceed with the request for rezoning from R-1 to P-B-1 in hopes that the Board of Commissioners would act favorably to the request.
3. Should the Board of Commissioners deny the rezoning request, seek an acceptable text amendment to the zoning provisions which would be narrow in scope and acceptable to the Planning Commission and the Board of Commissioners that would permit the proposed use within the text amendment language.

RJH/jr

cc: Thomas L. Thomson, Executive Director, MPC
 James L. Hansen, AICP, Director of Development Services, MPC
 Harmit Bedi, Deputy Executive Director, MPC
 Eric Gotwalt, Esq.

~~AGENDA ITEM: XI-1~~
~~AGENDA DATE: June 22, 2007~~
~~AGENDA ITEM: XII-1~~
~~AGENDA DATE: July 20, 2007~~
~~AGENDA ITEM: XII-1~~
~~AGENDA DATE: July 6, 2007~~

TO: BOARD OF COMMISSIONERS
 THRU: R. E. ABOLT, COUNTY MANAGER
 FROM: THOMAS L. THOMSON, EXECUTIVE DIRECTOR

LEGAL NOTICE/AGENDA HEADING:

The petitioner, Gregory Dean Elmgren, is requesting to rezone 124 Quacco Road from an R-1 (Single Family Residential - 5 Units Per Net Acre) to a P-B-1 (Planned Business Limited). The MPC recommended denial. MPC File No. Z-070430-40223-1

ISSUE:

Rezoning from an R-1 (Single Family Residential – 5 Units Per Net Acre) classification to a P-B-1 (Planned Business Limited) classification.

FACTS AND FINDINGS:

1. **Public Notice:** All property owners located within 200 feet of the petitioned site(s) were notified of the rezoning petition.
2. **Site:** The subject property is 1.12 acres in size and is located on the north side of Quacco Road approximately 1,300 feet west of U.S. Highway 17 South (Ogeechee Road). The site is presently occupied by a single family residential structure and a detached garage.
3. **Request/Site History:** The petitioner requests that the site be rezoned to a P-B-1 zoning classification in order to establish an office as the principal use and an accessory use storage yard.

The site was purchased by the petitioner 13 months ago (April 17, 2006) as an existing single family residence. The Chatham County Zoning Administrator advised staff that the petitioner/owner, soon after purchasing the property, applied for a home occupation permit for the purpose of establishing a landscaping business in accordance with the provisions of the Chatham County Zoning Regulations, Section 2-28 Home Occupation. However, in response to a complaint, an inspection of the subject site by a Chatham County zoning Inspector revealed the following: 1) The single family house was being used as a graphic arts office; 2) the rear portion of the property was being used to store lawncare and landscaping equipment including landscaping materials; and, 3) it appeared that no one actually lived at the site. The owner/petitioner was cited by the Zoning Administrator for non-compliance with the provisions for a home occupation use.

4. **Zoning History/Existing Development Pattern:** The subject site was rezoned from an R-A classification to its present R-1 classification on September 28, 1984 (MPC File Number 84-6659-C). Other properties that have been rezoned within the last 25 years include:

A site located on both sides of Larchmont Drive from Ogeechee Road to Larchmont Estates was rezoned from R-A and R-A-S classifications to its present PUD-B and PUD-R classifications on September 28, 2004 (MPC File Number 84-6659-C); 2) a site located on the south side of Quacco Road approximately 1,425 feet east of Holiday Circle was rezoned from an R-A classification to its present P-D-R classification on January 29, 1986 (MPC File Number 86-7403-C); 3) a site located between Larchmont Drive and Quacco Road approximately 775 feet west of Ogeechee Road was rezoned from PUD-M-12 to its present PUD-B-C classification on July 25, 2003 (MPC File Number Z-030514-30448-1); 4) a site located on the south side of Quacco Road approximately 200 feet west of Laurel Green Court was rezoned from an R-A classification to its present PUD-M-12 classification on September 8, 2006 (MPC File Number Z-060516-56325-1). The adjacent land uses and zoning districts surrounding the subject property include:

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Vacant Land	PUD-M-12 [1]
South	Quacco Road Mobile Home Park Mobile Homes/Vacant Land	R-M-H-1 [2] R-A
East	Single Family	R-1
West	Single Family	R-1

[1] PUD-M-12 - Planned Unit Development Multi-Family 12 Units Per Net Acre
 [2] R-M-H-1 - Residential Mobile Home Park

The areas along both sides of Quacco Road in the general area have remained relatively unchanged over the last 20 years with the exception of the development of new single family subdivisions and the development of properties located at the corner of Quacco Road and Ogeechee Road (U.S. Highway 17 South) as a convenience store, including the sale of fuel, and a boat sales lot. The predominate use along both sides of Quacco Road continues to be residential.

5. **Existing R-1 Zoning Districts:**
 - a. **Intent of the R-1 District:** According to the Zoning Ordinance, the purpose of the R-1 district is to create an environment in which one-family dwellings, and certain non residential uses are permitted in order to promote stability and character of low-density residential development with adequate open space.
 - b. **Allowed Uses:** The uses allowed within the R-1 district appear in the attached chart.
 - c. **Development Standards:** The development standards for the R-1 district appear in the attached table (Table 1).

6. **Proposed P-B-1 Zoning District:**
 - a. **Intent of the P-B-1 District:** According to the Zoning Ordinance, the purpose of the P-R-1 district is create and protect areas in which limited business and certain industrial activities like activities, which have limited traffic generation potential, are permitted. This district is intended to be applied in areas, which would not be appropriate for more intensive commercial districts because of the character of the surrounding land uses and other factors.
 - b. **Allowed Uses:** The uses allowed within the P-R-1 district appear in the attached chart.
 - c. **Development Standards:** The development standards for the P-B-1 district appear in the attached table (Table 1).

7. **Land Use Element: Land Use Element:** The Chatham County Comprehensive Plan Future Land Use Map designates the subject property as Suburban Single Family Residential. Approval of the zoning map amendment would not be consistent with the Future Land Use Map.

8. **Transportation Network:** The property is accessed from Quacco Road. Quacco Road is a two lane public road. According to the Street Classification Map Number 1 of the Chatham County Zoning Ordinance, Section 4-6, Quacco Road is classified as a secondary arterial roadway. The 2004 average daily traffic count for Quacco Road between Ogeechee Road and Interstate 95 was 3,900 vehicles per day.

9. **Public Services and Facilities:** The property is served by Metropolitan police, Southside Fire Department fire protection, and by Consolidated Utilities, Incorporated water and sanitary sewer. The subject site is presently served by the Chatham Transit Authority (CAT).

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 X No ___

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

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-1 classification to a P-B-1 classification.
2. Deny the petitioner's request.

POLICY ANALYSIS:

The proposed rezoning is not consistent with Chatham County's Comprehensive Future Land Use Plan. The proposed P-B-1 classification would allow non-residential uses within an area that is predominately low density residential and would adversely impact the existing residential properties in the general area.

RECOMMENDATION: The MPC and Director of Building Safety and Regulatory Services recommend Denial of the petitioner's request to rezone the property known as 124 Quacco Road (PIN-1-1006B-05-011) from an R-1 (Single Family Residential - 5 units per net acre) classification to a P-B-1 (Planned Business Limited) classification.

PREPARED BY: Jim Hansen, AICP, Director
Development Services

May 15, 2007

Gregori Anderson, Director
BUILDING SAFETY AND REGULATORY SERVICES



C H A T H A M C O U N T Y - S A V A N N A H

METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

DATE: May 15, 2007
TO: CHATHAM COUNTY COMMISSION
FROM: METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC ZONING RECOMMENDATION

PETITION REFERENCED:

Gregory Dean Elmgren, Petitioner/Owner
124 Quacco Road
MPC File No. Z-070430-40223-1

MPC ACTION:

Denial of the petitioner's request to rezone the property known as 124 Quacco Road from an R-1 (Single Family Residential-5 Units Per Net Acre) classification to a P-B-1 (Planned Business Limited) classification.

MPC STAFF RECOMMENDATION:

Denial of the petitioner's request to rezone the property known as 124 Quacco Road from an R-1 (Single Family Residential-5 Units Per Net Acre) classification to a P-B-1 (Planned Business Limited) classification.

MEMBERS PRESENT: 9 + Vice-Chairman

Robert Ray, Vice-Chairman
Michael Brown
Douglas Bean
Adam Ragsdale
David Hoover

Jon Todd, Secretary
Shedrick Coleman
Timothy Mackey
Lacy Manigault
Ben Farmer

VOTING FOR MOTION

Robert Ray
Jon Todd
Michael Brown
Shedrick Coleman
Douglas Bean
Timothy Mackey
Adam Ragsdale
Lacy Manigault
David Hoover
Ben Farmer

VOTING AGAINST MOTION

***ABSENT OR **FAILING TO VOTE**

*Susan Myers
*Russ Abolt
*Freddie Gilyard
*Stephen Lufburrow

FOR APPROVAL: 10

FOR DENIAL: 0

ABSTAINING: 0

Respectfully submitted,

/s/ Thomas L. Thomson

Thomas L. Thomson
Executive Director

/cbm

Enclosure

=====

XIII. INFORMATION ITEMS

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

ACTION OF THE BOARD:

A status report was attached for review.

=====

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

ACTION OF THE BOARD:

A status report was attached for review.

AGENDA ITEM: XIII-2
AGENDA DATE: October 5, 2007

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Upgrade Signal Control Cabinet at Skidaway and Montgomery Cross Roads.	Public Works	Temple Inc.	\$4,970	CIP- Public Works
One (1) IDS Server	I.C.S.	Dell Marketing	\$4,103	General Fund/M&O - ICS
One (1) Motorola Radio	Sheriff	Motorola Communications (State Contract)	\$4,700	General Fund/M&O - Sheriff
One (1) 52" Deck Lawnmower	Sheriff	Andy's Lawn Machinery	\$7,050	General Fund/M&O - Sheriff
Renewal of Service Contract for Weather Satellite System	Mosquito Control	WSI, Inc. (Sole Source)	\$3,660	General Fund/M&O - Mosquito Control
Helicopter Repair Parts	Mosquito Control	Heli-Mart	\$2,782	General Fund/M&O - Mosquito Control
Repair of Roof at Citizens's Service Center	Facilities Maintenance	House Doctor	\$6,935	<ul style="list-style-type: none"> •General Fund/M&O - Facilities Maintenance - \$1,155.85 •General Fund/M&O - Board of Elections - \$1,155.83 •General Fund/M&O - Voter Registration - \$1,155.83 •General Fund/M&O - Board of Equalization - \$1,155.83 •Building Safety and Regulatory Services - \$1,155.83 •Land Bank Authority - \$1,155.83
Various Tools/Supplies to Support Grinding Operation	Public Works	The Trading Company	\$3,999	Solid Waste Management
Printing of Budget Book	Finance	Print Shop of Savannah	\$4,092	General Fund/M&O - Finance
Service Agreement for Existing Software for Timeclocks	Public Works	Qqest Software Systems (Sole Source)	\$2,696	SSD - Public Works
Replace Transfer Switch at Skidaway Bridge	Bridges	Cummins Power South	\$3,625	General Fund/M&O - Bridges

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Recovering of Canvas for Front Entrance of Aquatic Center	Aquatic Center	Coastal Canvas	\$3,400	General Fund/M&O - Aquatic Center
Demolition of House Located at 12105 White Bluff Road for Truman Parkway, Phase 5	Engineering	D. S. Inc. (MBE)	\$7,007	SPLOST (1998-2003) - Truman Parkway Phase V
Demolition of House Located at 1302 Beckman Avenue for Truman Parkway, Phase 5	Engineering	D. S. Inc. (MBE)	\$9,950	SPLOST (1998-2003) - Truman Parkway Phase V
Demolition of House Located at 12202 White Bluff Road for Truman Parkway, Phase 5	Engineering	American Clearing and Hauling (MBE)	\$5,376	SPLOST (1998-2003) - Truman Parkway Phase V
Drawing Revisions to represent existing row and easements for Pipemakers Canal, Phase 2	Engineering	EMC Engineering (Sole Source)	\$7,000	SPLOST (1998-2003) - Pipemakers Canal
Demolition of three (3) Light Pole Bases To Include Backfill at Abercorn Intersection	Engineering	Charlie's Environmental	\$2,500	SPLOST (1993-1998)
Engineering Fees for Courthouse Renovations, Phase I	Construction Management	Hussey, Gay, Bell & DeYoung	\$5,171	SPLOST (2003-2008) - Courthouse Construction
12 Microsoft Office 2007	I..C. S.	Dell Marketing (State Contract)	\$2,770	CIP - Detention Center
Transducer Box Relocation for Pipemakers Canal	Engineering	EMF Electric	\$3,042	SPLOST (1998-2003) - Pipemakers Canal
Install Pole Mounted CATV System for Pipemakers Canal	Engineering	Remote Technology	\$9,700	SPLOST (1998-2003) - Pipemakers Canal
Four (4) Dell PCs	I.C.S.	Dell Marketing (State Contract)	\$5,310	CIP - Detention Center
One (1) Used 2006 Ford Taurus for Parks and Recreation	Fleet Operations	Fairway Lincoln-Mercury	\$9,974	SPLOST (2003-2008) - Vehicle Purchase
Three (3) Laptop Computers	I.C.S.	Dell Marketing (State Contract)	\$8,215	CIP - CEMA
Architect Services for Measuring and Presenting Proposed Renovations for Third Floor of the Courthouse	Construction Management	Eric Meyerhoff	\$4,000	SPLOST (2003-2008) - Courthouse Construction
Remove and Dispose of Asbestos at 912 Penn Waller	Engineering	Southern Tri	\$3,500	SPLOST (2003-2008) - Drainage/Hazard Flood Map
Structural Fill Dirt at Jail Expansion Site	Engineering	ABC Crushing	\$3,528	SPLOST (1993-1998) - Jail Expansion

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3. ROADS AND DRAINAGE REPORTS.

ACTION OF THE BOARD:

Status reports were attached for review.

AGENDA ITEM: XIII-3 Roads
AGENDA DATE: October 5, 2007

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: A.G. Bungard, P.E., County Engineer

ISSUE: To provide information on the status of Chatham County road projects.

BACKGROUND: The schedules for construction are dictated by GDOT allocations of funds among the Congressional districts and the balancing of funds in the Chatham Urban Transportation Study (CUTS) Transportation Improvement Program (TIP). The current Long Range Transportation Plan (LRTP) was approved by the CUTS Policy Committee on September 22, 2004. A new TIP (Fiscal Years 2008-2011) was approved by the CUTS Policy Committee on June 27, 2007.

FACTS AND FINDING:

1. Diamond Causeway Widening. Because of the environmental impacts of changed design criteria (width of median and design speed of high span bridge) on approval of the Environmental Assessment (EA), the GDOT is managing the project. The GDOT met on February 13, 2007 at the U.S. Army Corps of Engineers (USACE), Savannah District, to show the resource agencies the wetland impacts due to the 44-ft, 24-ft and barrier separated medians (12.5-ft). The GDOT Office of Environmental Location (OEL) must revise the EA to show updated impacts and apply for a permit.

a. Because of the environmental impacts of a second bridge and widening the causeway to four lanes, the GDOT now intends to build ONLY a two-lane high level bridge over Skidaway Narrows on the north side of the bascule bridge. The additional two lanes for the causeway and the bridge over the Moon River can only be built after an EA is approved by the FHWA.

b. Funding: In the CUTS TIP for FY 2008 - 2011, design and right of way funding is programmed for FY 2008. Construction funds are programmed in FY 2011.

c. IN THE MEANTIME On August 24, 2007, the Board rejected the sole bid on a construction contract to widen the roadway on the portion of Diamond Causeway that is on Skidaway Island that included new traffic signals at State Park Road and McWhorter Drive. Staff will seek a permit from the GDOT to construct only a signal at State Park Road.

2. Whitfield Avenue Widening. The FHWA approved the EA on February 13, 2004. A Public Information Open House (PIOH) was held on February 28, 2006. Approval of a Revised Concept Report and updated EA was on hold pending resolution of the median width and tree planting opportunities. The Concept Report (revised to incorporate a 50 foot wide median with 6 canopy trees) was forwarded by the GDOT Office of Urban Design on August 17, 2007. The Report was approved by the GDOT on September 24.

3. Truman Parkway, Phase 5. Right of way (ROW) plans were approved by the GDOT on June 30, 2005. Property acquisitions are underway and will take until April 2008 to complete (94 acquisitions required, 41 titles acquired). The County's engineering consultant anticipates having the final design package ready for a Final Field Plan Review (FFPR) in December 2007.

4. Middleground Road/Montgomery Cross Road Widening. Scheduled completion is October, 2008.

5. Bay Street Widening from I-516 to Bay Street Viaduct. The Concept Report was approved by the GDOT on February 9, 2005. The FHWA approved the Draft EA for Advancement to Public Hearing on October 20, 2006. The public hearing was held January 18, 2007. The FHWA approved the Final EA/Finding of No Significant Impact (FONSI) on August 31, 2007. The next step is a Preliminary Field Plan Review (PFPR) to be scheduled by the GDOT in January 2008.

6. Jimmy DeLoach Parkway, Phase 2 (I-16 to US 80). The FHWA approved the Final EA on March 3, 2006. On September 22, 2006, the Board approved a change order for the engineering services contract to complete the design.

7. Jimmy DeLoach Parkway/US 80 Interchange. Seven alternatives for the interchange layout were presented at a PIOH in Bloomingdale on April 26, 2007. The Concept Team Meeting was held August 16, 2007. The consultant anticipates having a Concept Report approved by the GDOT in November 2007.

8. Stephenson Avenue. Substantially complete as of April 1, 2005. Liquidated damages totaling \$54,450 were assessed from December 1, 2004 to March 31, 2005. GDOT, County, City of Savannah and APAC performed the joint final inspection on June 14, 2005. A punch list was compiled (129 items) and given to APAC on June 21, 2005. Some punch list items remain uncorrected. Staff started the process to find them in default. In the meantime, APAC filed a law suit against the County.

9. White Bluff/Coffee Bluff Road. After the PIOH was held on August 12, 2004, the Need and Purpose was revised to create a 3-lane section from Willow Road to Cedar Grove and to improve the two lanes (i.e. widen pavement to 12 feet wide travel lanes) from Cedar Grove to Rose Dhu Road. It was submitted to GDOT January 19, 2006. The project will include either sidewalks on both sides or a multi-purpose trail on one side. GDOT transferred management of the project from Atlanta to the Jesup District Office. The revised Need and Purpose Statement was approved by GDOT on June 26, 2006. On April 27, 2007, FHWA comments were received. Per FHWA comments the consultant is updating the traffic information.

10. Eisenhower Widening from Abercorn to Truman Parkway. The Concept Report was approved by GDOT on June 22, 2004. Because of the high estimated ROW costs (over \$22 million -- local cost), the City of Savannah, County and consultant proposed reductions in the project. The proposal was sent to GDOT October 28, 2005. This project has also been transferred to the District Office in Jesup to manage. City and County staffs have met to discuss further reducing the scope of the project. A revised concept with reduced right-of-way impacts is being evaluated.

11. Abercorn Widening from Truman Parkway to U.S. 17. The GDOT is managing a project for Abercorn Street from Truman Parkway (Phase 5) to U.S. 17. PIOHs were held on November 14-15, 2006. After the GDOT and consultants evaluated comments and alternatives, a second round of PIOHs were held at AASU on June 19-20, 2007. The next step is to prepare the Concept Report with a preferred alternative for approval by the GDOT.

12. Skidaway Widening. The Final EA was approved by the FHWA on December 30, 2004. The Board approved a new engineering services contract with the County's consultant on October 20, 2006, to resume design of the project incorporating all new GDOT requirements known to date.

13. Islands Expressway Bridge Replacement. LPA Group (engineering consultant) is under contract with County to develop the Concept Report. A PIOH was held on May 26, 2005, presenting three alternatives to construct 4-lane high span bridges. After updating the utility relocation estimate, the Concept Report was submitted to GDOT on August 8, 2006. The Concept Team Meeting was held April 26, 2007. GDOT has asked for a 3-lane alternative to be considered.

14. Abercorn Intersection Improvements (DeRenne Avenue, Mall Boulevard, Apache Drive, Tibet Avenue). The County certified the ROW for all four projects to the GDOT. In April the GDOT solicited bids for the DeRenne, Mall and Apache intersections. No bids were received. Tibet Avenue was added to the group and the project was re-advertised. GDOT opened bids for a contract on September 21, 2007. The only bidder was APAC for \$6.4 million.

15. Local Roads.

a. Fountain Road. Substantially complete. A connector road from Fountain Road through the Vaden property remains to be done.

b. Heather Street, Shore Road. Both roads are substantially complete. A final inspection and punch list of corrections remain to be done.

c. Palm Drive. Substantially complete. Grassing and punch list items remain.

d. Old Pine Barren Road. Substantially complete. Grassing and punch list items remain.

e. Old Highway 204 Bridges. The project to replace two failing timber bridges with concrete culverts is substantially complete. Property acquisitions for the four parcels affected by the two remaining timber bridges are in progress. Closed on one parcel (resident moved and demolition is complete). Only one of remaining parcels has a residence. Possession hearing in Superior Court is scheduled for October 24.

f. Dulany Road. The project is on hold because of environmental impacts and right of way issues with a property owner affected by the project.

g. Stone Street. Final construction plans are complete. Acquisition of a permanent drainage easement remains to be completed.

h. Troy Street, Catherine Street, Adeline Street, Thomas Avenue, Billings Road, Elmhurst Road, Beechwood Road, Ridgewood Road. These dirt roads are being designed for paving by Jordan, Jones & Goulding.

i. Bond Avenue, Betran Avenue. Projects are designed. Right of way issues on Bond Avenue. Waiting on legal opinion to continue on Betran Avenue.

RECOMMENDATION: For information.

Districts: All

SUMMARY OF ROAD PROJECT STATUS
October 2007

PROJECT	ELEMENT	MILESTONE FOR COMPLETION	AGENCY RESPONSIBLE	NOTES
Truman Parkway, Phase 5	Environmental ROW Final Design Construction	Complete April 2008 Nov 2007	County County/GDOT County/GDOT GDOT	EIS approved 8/12/99 Acquisitions underway. FFPR in 12/07 CST FY 2010
Middleground/Montgomery Cross Road Widening	Construction	Oct 2008	GDOT	Change order with APAC signed May 31, 2006.
Whitfield Avenue Widening	Environmental Design ROW Construction	Feb 2004	County County County/GDOT GDOT	EA/FONSI approved 2/13/04. Delayed - median/tree issues.. ROW funded FY2006/08 CST FY 2009
Diamond Causeway Widening and two bridges (Skidaway Narrows and Moon River)	Environmental Design ROW Construction	Unknown	GDOT GDOT GDOT GDOT	Draft EA signed Feb 05. ROW FY 2008 CST FY 2011
Jimmy DeLoach Parkway, Phase 2	Environmental ROW Design Construction	Mar 2006	County County County GDOT	Final EA approved by FHWA. CST LR
Jimmy DeLoach Parkway, US 80 Interchange	Environmental ROW Design Construction	Nov 2007	County County County GDOT	Concept Report approval. CST LR
Skidaway Road Widening	Environmental Design ROW Construction	Complete	County County County GDOT	Final EA signed 12/30/04. New contract 10/20/06. CST FY 2012
Bay Street from I-516 to Viaduct	Environmental ROW Final Design Construction	Nov 2007	County County County GDOT	EA/FONSI approved 8/31/07 CST LR
White Bluff/Coffee Bluff	Environmental	Unknown	County	CST FY 2013
Eisenhower (Abercorn to Truman Parkway)	Environmental Construction		County	Concept Report approved 6/22/04. CST FY 2013

NOTES: CST = FY in which the projects are programmed for construction.

AGENDA ITEM: XIII-3 Drainage
AGENDA DATE: October 5, 2007

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: A. G. Bungard, County Engineer

ISSUE: To provide information on the status of Chatham County drainage projects.

BACKGROUND: For construction contracts that have been awarded, this report provides the latest scheduled completion dates. For projects pending environmental permits, start dates are best estimates. All project scopes include varying degrees of canal widening, bank stabilization, larger bridges and culverts.

FACTS AND FINDING:

1. Pipemakers Canal
 - a. Phase 2 (From SR 21 to I-95). Increase channel size and provide maintenance access. The permit application documents have been submitted to the USACE for approval and staff continues to coordinate efforts to secure the necessary permit.
 - b. Kahn Mitigation Site. This site was to provide the necessary wetland mitigation for the Pipemakers Canal Drainage Improvement projects. Staff continues to work to secure an alternate way to mitigate wetland impacts that will be caused by the Pipemakers Canal project.
 - c. Bridge Removal and Sheet Pile Wall Modifications. A project to remove an existing bridge that restricts drainage from Pipemakers Canal into the Savannah River. Design is complete. Staff continues to work with the Georgia Ports Authority for working room to perform the work.
2. Hardin Canal
 - a. Phase 1 (SR307 bridges). Widen channel and replace canal crossings. The USACE has issued a permit. Drawings are under review by the Georgia Department of Transportation.
 - b. Phase 1 (Southbridge bridges). Replace bridge crossings. Right of way acquisition is underway. Design work will commence after the right of way is secured.
 - c. Phase 2 (From 307 to Pine Barren Road). Widen channel and construct a detention pond. No target construction date. Staff is working to acquire canal rights of way for the future improvements on property owned by the Georgia Ports Authority.
3. Westlake/Springfield Canal CSX railroad undercrossing. Final Design is complete. Staff is working to combine this project with the downstream portion of the Louis Mills drainage improvement project into a single construction project. Staff is also coordinating efforts to update various permits that expired while waiting on a right of entry agreement with Hunter Army Airfield.
4. Romney Place Drainage Phase 2 Improve storm drains and road crossings on Romney Place and along Parkersburg Road. Final design drawings are complete. Permitting is complete and ROW acquisition is underway. Staff is waiting on completion of the Skidaway Road Shoulder to determine if any design changes will be necessary as a result of that project.
5. Conaway Branch Canal (tributary of Pipemakers Canal) Widen channel with road crossing improvements and a maintenance road from north of Main Street to the Pipemakers Canal.
 - a. Phase 1A extends from Pipemakers Canal to Conaway Road. Right of way acquisition is underway. Staff expects the need to utilize eminent domain to secure the last of the necessary right of way.
 - b. Phase 1B extends from Conaway Road to Main Street. There is no target date for completion.
 - c. Phase 1C includes the area west of Maple Street. Construction costs are to be funded by the City of Bloomingdale. Recommended improvements have been provided to the City of Bloomingdale.
6. Little Hurst Canal Improve undercrossings at SR 21 and railroad, and widen channel downstream of SR 21. A project to acquire rights of way and easements,

and to acquire the required permits is underway. The preliminary engineering report was reviewed by staff and returned to the consultant to address comments.

7. Wilmington Park Canal Phase 2 Widen channel and improve culvert crossings under Wilmington Island Road. Staff is working with the Wilmington Homeowners Association to secure an easement to the outfall that will facilitate the County's maintenance of this section of the canal.
8. Kings Way Canal Phase 2 Widen channel and enlarge culverts from Kings Way Court to the Truman Parkway. Design is complete. Acquisition of right of way is underway. Staff expects that the use of eminent domain will be necessary to secure the drainage right of way needed for the project.
9. Village Green Canal, Phase 2 Improve the outfall and provide access for canal maintenance. Design work and right of way acquisition work is underway concurrently in an effort to expedite the project. Field survey work is complete. Preparation of preliminary design drawings and easement plats is underway.
10. Port Industrial Park Improve the channel downstream from S.R. 307 to Pipemakers Canal. Design of the project is complete. Staff is working with Garden City staff and the property owner to coordinate plans for future development with the needs of the drainage improvement project.
11. Louis Mills Canal Widen channel from Veterans Parkway downstream to outfall at Westlake Canal and improve crossing under Marshall Avenue. Design is complete. Acquisition of easements and ROW is complete for the section downstream of Garrard Ave. The downstream portion of the project, where easements have been acquired, is being combined with the Westlake-CSX railroad culvert project for construction.
12. Redgate/Rahn Dairy Provide larger undercrossings at several roads, widen the canal and provide for maintenance access. This project will reduce storm water flows in the Louis Mills system, as well as improve the drainage in the Rahn Dairy canal. Acquisition of easements is underway. Staff has learned of a major land development project in the area of the drainage improvement project and is evaluating options.
13. Ogeechee Farms Phase 2 Improve road crossings at various locations. The permit from the USACE has been received. Mitigation requirements have been met. Design of a small project to design a drainage culvert under the runway at Hodges Airpark is underway.
14. Fawcett Canal Phase 2 Provide increased storm water drainage capacity in areas affecting Red Fox Drive and White Hawthorne Drive. Design is complete. Acquisition of easements is underway.
15. Quacco Canal Drainage Improvements East of US17 Improve Quacco Canal and associated road undercrossing capacities from US 17 to marsh, including removal of a private tidegate structure. Estimated date of completion is March 14, 2008. Construction work is underway with the installation of the concrete box culvert nearly complete. A change order to address the quantity of earth fill material is pending Board approval.
16. Quacco/Regency Park Storm collector improvements to relieve severity and frequency of flooding within community. Design is approximately 90% complete and has been reviewed by staff. Work to acquire the necessary drainage rights of way is underway. Staff is working to coordinate necessary relocation of utilities within the Quacco Road right of way. The County Attorney has not provided a legal opinion regarding utility relocation costs.
17. Halcyon Bluff Subdivision Storm collector improvements to relieve severity and frequency of flooding within community. Construction of work under the original contract scope is approximately 95 percent complete. A change order to address drainage problems in vicinity of Halcyon Drive and Lavon Avenue was approved by the Board at its meeting of August 24, 2007.
18. Golden Isles Subdivision Phase 2 Storm collector improvements to relieve severity and frequency of flooding within community. Approval by Health Department to proceed with the project has been obtained. Right of way acquisition is complete. This project is currently on hold.

- 19. Wilmington Outfall A project to correct storm sewer drainage pipes between Wilmington Road and the Wilmington River. Construction is underway. The project is complete except for final restoration of the project area.
- 20. Henderson Channel and crossing improvements to alleviate flooding in the subdivision.
 - a. Brown Thrush Canal (a.k.a. Channel 1): Crossing and channel improvements on the canal parallel to Brown Thrush Road, from Al Henderson Blvd. to Little Neck Road. Design work and preparation of easement plats is underway.
 - b. Little Neck Crossing: Replacement of the undersized culvert. The preliminary design report has been review by staff and approved by Staff. Design work is underway.
 - c. Henderson Canal: Provide maintenance road for canal from Gateway Blvd. to Little Neck Road through wetlands. Wetland delineation has been approved by the USACE. No target construction date.
- 21. Walthour Canal at Off Shore A project to improve the undersized culverts under the entrance road to the Off Shore Subdivision. Final construction documents have been received. Efforts continue to secure the necessary permits for construction of the project. Staff anticipates that changes to the project design will be required in order for the work to be in compliance with new environmental regulations.

RECOMMENDATION: For information.

Districts: All

Prepared by W.C. Uhl, P.E.

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EXECUTIVE SESSION

Upon motion being made by Commissioner Gellatly and seconded by Commissioner Farrell, the Board recessed at 1:42 p.m., to go into Executive Session for the purpose of discussing litigation, land acquisition and personnel. [NOTE: Commissioners Odell and Thomas were not present.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 2:15 p.m. [NOTE: Commissioners Odell and Kicklighter were not present.]

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ITEMS FROM EXECUTIVE SESSION

- 1. **SETTLEMENT OF THE CASE OF NESTOR TRAFFIC SYSTEMS, INC. V. CHATHAM COUNTY, GEORGIA, CIVIL ACTION NO. CV06-2131-BA (JONATHAN HART).**

ACTION OF THE BOARD:

Commissioner Farrell moved to approve a motion to authorize the Chairman to execute an Affidavit that the Executive Session was held in compliance with the Open Meetings Act. Commissioner Shay seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

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

ACTION OF THE BOARD:

Commissioner Farrell moved to approve a motion to authorize the Chairman to execute an Affidavit that the Executive Session was held in compliance with the Open Meetings Act. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

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APPOINTMENTS

1. CHATHAM COUNTY EMPLOYEES PENSION BOARD

ACTION OF THE BOARD:

Commissioner Thomas moved to appoint Patrece Bryant Grant to the Chatham County Employees Pension Board to fill the position previously held by John I. Wright, which term will expire July 1, 2011. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present.]

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ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 2:17 p.m.

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APPROVED: THIS _____ DAY OF _____, 2007

PETE LIAKAKIS, CHAIRMAN, BOARD OF
COMMISSIONERS OF CHATHAM COUNTY, GEORGIA

SYBIL E. TILLMAN, CLERK OF COMMISSION