

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, OCTOBER 19, 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 9:30 a.m., Friday, October 19, 2007.

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II. INVOCATION

Commissioner Harris Odell, Jr., gave the Invocation.

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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
 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

Absent: Dr. Priscilla D. Thomas, Vice Chairman, District Eight

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

Commissioner Odell made a motion to excuse the absence of Commissioner Thomas. Commissioner Holmes seconded the motion and it carried unanimously.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

- 1. PROCLAMATION TO DECLARE NOVEMBER 14, 2007, AS “GEOGRAPHIC INFORMATION SYSTEMS DAY” AND NOVEMBER 11-17, 2007, AS “GEOGRAPHY AWARENESS WEEK” IN CHATHAM COUNTY. NOEL PERKINS, SAGIS DIRECTOR, WILL ACCEPT THE PROCLAMATION.**

Chairman Liakakis said, let me ask you because, Noel [Perkins], they were sending that to you. Do you have the proclamation? Mr. Perkins said, no sir, I do not. County Manager Abolt said, it’s there, sir. Chairman Liakakis said, okay. We don’t have the regular one because they were supposed to send that to you this morning. But what I would

like to do, because this is a very important proclamation that we have, and we can see that this particular technology that has — that we have now with the County and the City and around the country that has made a big difference with this Geographic Information System, so —. Chairman Liakakis read the following proclamation into the record:

PROCLAMATION

**GEOGRAPHIC INFORMATION SYSTEMS DAY
AND GEOGRAPHY AWARENESS WEEK**

WHEREAS, technology will continue to assume a vital role in the future and growth of Chatham County, and the use, management, and exchange of geographic information technology are necessary for effective decision-making in order to plan, manage and promote sustainable development; and

WHEREAS, Geographic Information Systems (GIS) provide data that allow for the identification of patterns and relationships of real-world conditions that ultimately lead to better decisions and improved delivery of services to the citizens of Chatham County; and

WHEREAS, the application of GIS and related data assists citizens, businesses and community leaders to visualize and develop quality communication; geographic information has many useful applications and has proved itself as a valuable resource in many different aspects of the day-to-day workings of government as well as in long-range planning; and

WHEREAS, geography, the study of the Earth’s natural resources, features, climate and population is important in understanding our relationship wit the environment, and GIS technology aids us in this vital learning process.

NOW THEREFORE, I, Pete Liakakis, as Chairman, with the Board of Commissioners of Chatham County, do hereby proclaim November 14, 2007 as “GIS DAY” and November 11 – 17, as “Geography Awareness Week” and call this observance to the attention of all citizens within our community.

Pete Liakakis, Chairman

Attest:

Sybil E. Tillman, Clerk

Chairman Liakakis said, what we will do is we will make sure we’ll follow up to make sure you have the regular proclamation so that you can put it in your area. We thank you very much because this, as has been stated, is very important to our community and we’d like for you to say something.

Mr. Perkins said, I want to thank everybody for doing this. GIS Day has been around since — or Geography Awareness Day has been around since 1998. It’s put on mostly by the National Geographic Association — National Geographic and this is the ninth annual GIS Day in the United States and the first annual here in Chatham County. So far today we’ve had 15 sponsors and we’ve raised approximately \$7,000 to put on the function. We have approximately 200 local school children in the eighth grade that will be there in the morning session, and from 1:00 to 3:30 it is open to the general public to come and see and learn about GIS and its use here in Chatham County. All — our leftover contributions for what we need to pay for is going to be denoted to the school system to help fund the GIS program in the schools, and hopefully we’ll build on that every year and use the GIS Day to help fund that and keep — bring education to our kids here in Chatham County. With that I want to say thank you to everybody and thank you, sir.

Chairman Liakakis said, thank you. Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, Mr, Chairman, we have a former Commissioner who was very active in this area, and that’s Ben Price, and I would really appreciate it if the County Manager can send a copy of this to Mr. Price, who, my first year as a Commissioner, talked my left ear off about GIS and I need to work towards it, and often it’s forgotten the good work that people who volunteer time give to this community, and I think it would be a way of just recognizing one of our own former Commissioners.

Chairman Liakakis said, okay. Thank you very much.

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YOUTH COMMISSIONERS

Chairman Liakakis said, what I would like to do right now is introduce three of the Chatham County Youth Commissioners, who have done an outstanding job and they are representing them this morning: Asia Calhoun, who represents the Beach High School; Jameya Barnwell, who is representing St. Vincent's Academy; and Mark Stevenson, who is representing Savannah Christian, but he's also an Executive Member of the Youth Commission. We welcome all of you here this morning.

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VI. CHAIRMAN'S ITEMS

1. PRESENTATION ON LEAD AWARENESS BY LATORIA WHITEHEAD, PUBLIC HEALTH ADVISOR OF THE CENTERS FOR DISEASE CONTROL AND PREVENTION, AND FORREST STALEY, PROGRAM DIRECTOR OF THE GEORGIA LAND POISONING PREVENTION PROGRAMS.

Ms. LaToria Whitehead said, good morning. My name is LaToria Whitehead and, as stated, I am the Public Health Advisor for the Centers for Disease Control and Prevention, CDC, for the Childhood Lead Poisoning Prevention Branch in Georgia, and I want to thank you all for having us today to take up a few minutes of your time. I'm here to introduce Forrest Staley, who is the Program Director for the Childhood Lead Poisoning Prevention Branch for the State of Georgia, and he wants to talk to you for a few minutes about the lead problem in the State of Georgia, lead awareness and also about the policy that we are trying very hard to modify for the children of Georgia, and if you would just give him a few minutes of your time, we would appreciate it.

Mr. Staley said, thank you. Thank you for letting me have a few minutes this morning. I apologize, I am a little bit under the weather this morning and my voice is suffering, but maybe it will hold out for a few minutes. As Ms. Whitehead mentioned, I'm Forrest Staley. I'm Program Director of the Department of Human Resources Division of Public Health, Childhood Lead Poisoning Prevention Program for the State. Lead Poisoning Prevention Week begins Monday, October 22nd, and extends nationally as we try to focus and make more aware of this deadly disease. We have a number of activities planned statewide and we have several here in Chatham County also. First, I'd like to recognize our partners in Lead Poisoning Prevention starting with Ms. Whitehead, who represents CDC. The CDC based in Atlanta is the world leader in providing resources and expertise to address this one hundred percent preventable environmental disease, which so severely affects the children in the State of Georgia also. I'd like to recognize Judy Hartley, the Regional Lead Coordinator for the Coastal District here, who represents local health, along with our partners in Chatham County Health Department. We partner closely with them also in combating this disease and present this morning is Rev. Vernell Cutter and Dr. Mildred McClain. We are partnering with them combating this, doing this — we're doing a great job combating this problem of lead poisoning. They represent the Harambee House Citizens for Environmental Justice, and they reach out to the community in ways that it would be very difficult for State or local health to reach out because they have such a good connection with the community. They have started with our help and our partnership an initiative called For Our Children, and we're going to try to distribute information about lead poisoning awareness and risks to those neighborhoods that are at the highest risk for lead poisoning. As you know, lead is finding new ways to reach our children through recently imported toys we've become aware of that — the very insidious way that children play with the toys we've become aware of that. Also some crayons and candy and food items and other risks are popping up constantly in areas sometimes we least expect. The last one was lipstick, which some lipstick brands have significant quantities of lead. Lipstick, of course, is used by adults, but expectant mothers also lipstick and lead can be a risk to unborn fetuses.

Lead poisoning is a terrible disease which robs our children of their intelligence directly. The ability to learn and causes behavioral problems with children that lasts a lifetime. If these children are exposed for a long period of time to lead, this damage and changes are irreversible, but the number one problem of exposure to lead remains over housing, housing that was built before 1978 — particularly housing that was built prior to 1950 — and, as you know, Chatham County and the City of Savannah has significant numbers of older housing, pre-1978, pre-1950 housing. And so, we need to be on the constant alert for testing children, not only this county but other counties in the State, that have — we've identified these risks. Judy Hartley and the local Health Department here in Chatham County are going to hold a toy testing event November 9th at the Mall of Savannah. Toys are pretty high profile even in the news, but we need to keep in mind that the housing is the actual — is actually the number one risk and our initiative for our children is actually going to go into the lower income, go into the neighborhoods that have concentrations of older housing and try to get children tested. Some numbers in 2005, for example, we tested children under the age of six, 1,719 children in Chatham County and found 38 children that were elevated, had levels greater than equal to 10 micrograms per decibel, which the CDC said is the level for concern for lead poisoning. I do not think that those numbers are indicative of the problem here in Chatham County, I think the problem is much greater than that. I think that if we test children at highest risk, and our partners in outreach is going to assist us in reaching these families at high risk, I think we can find many more numbers. Of course, the housing in Chatham County, and I don't have time to go into that, is a much higher percentage than the State average and Savannah itself has a pretty high percentage of older housing.

The State has taken the initiative with legislation to address lead hazards. Unfortunately, the State law doesn't apply to most single unit houses and structures where we find the problem. We are in the process of working through the Governor's office to get this legislation amended to be applicable to single unit structures. So you might hear of an initiative that's coming the next legislative session about amending this piece of legislation. We desperately need this law as the basis for getting [inaudible]. Savannah itself — and I'd like to commend the City of Savannah and the County of Chatham County — has a good law, has a good lead hazard abatement law locally, an ordinance locally here, that applies. It has some shortcomings, but generally it addresses the problem of lead hazards. When we find an elevated child, we have to investigate to find the source and try to remove those hazards. That law is a good one — in some ways better than the States — but it has its limitations also and it's applicable only to rental housing. But working within those guidelines and using the tools at our disposal and our important partnerships that we have made here in the County and elsewhere in the State, then we can address those problems.

Chairman Liakakis said, okay. Thank you, Forrest [Staley]. We appreciate that very much. This is an important health program for our community and other areas, too, because in years past a number of — especially of our children — were afflicted with the lead poisoning and we had a few to succumb from that. But also to you and to LaToria [Whitehead], we appreciate that very much. One of the things that I would like to bring to everybody's attention, too, is Dr. Mildred McClain, who had to leave just now, is that she has the Harambee House that's involved in a lot of training programs for citizens in our community, but a number of years ago she started the Citizens for Environmental Justice and has done an excellent job bringing information to the citizens that attended those training sessions about radiation, about the hazard waste things and a lot of citizens did not know about the many hazardous materials we have. She's also been on the board with the Savannah River Plant where they made the components for the atomic bombs and the nuclear weapons, and she's done an excellent job bringing those people from Savannah River Plant here to go over a lot of their processes and what they're doing now to clean up that particular area. So I'd like to thank on behalf of the County Commission what she has done and, of course, her staff people over there also. Would you all stand up so people can see you now, the ones that have been working on this? Thank you.

County Manager Abolt said, Mr. Chairman, Commissioner Stone, gentlemen. I'd like to also recognize the fine support this community receives from the Health Department, Dr. Skelton and Katherine Martin. This has been an issue of great importance and [inaudible] at the Health Department for a number of years, so the fact that we have now this partnership is very essential to the health and well-being of all citizens of Chatham County.

Mr. Staley said, Drs. Martin and Skelton have been very helpful in partnering in this also. We're having one of those trainings in the morning with Dr. McClain and her staff having to do with lead. The first step is to educate and then bring them up to date on techniques to detect these hazard among the children so they can be tested at the local Health Department. But we're doing another one of those trainings.

Chairman Liakakis said, thank you very much. We appreciate y'all being here this morning and doing the presentation.

Ms. Whitehead said, I just wanted to say to y'all that before we leave, what we wanted to bring to your main attention today is housing. Lead basically starts — the greatest risk of lead is in the housing and as far as mentioning, as you stress, there is a lot of older housing here in Savannah. CDC is moving into what we call a holistic approach of health, and basically that's all entities of your health, your environment, where you live, where you work, where you play, where you go to school, where you worship, and basically more or less where you live at. So as we move into healthy housing and we look at things as a holistic health, modifying the lead law is very, very important and it's very, very significant, and that's basically where it starts out for the State of Georgia and in the house. Georgia does not — Georgia has a law where they do not have to abate the lead unless you have 12 or more units — correct, Forrest [Staley] — unless we have 12 or more units. A lot of the housing in Georgia, especially Atlanta, we know that that's not a majority of the housing, so why it has a great law, it does need to be modified. So that's what we really want to bring to your attention today, and as we're working with the Citizens for Environmental Justice, Dr. McClain, Pastor Cutter, Judy Hartley, they've been really great support for us and we will continue working in the State of Savannah [sic] so you might here more and more about this lead law as we try to push this through. So we just want to leave that with you all today. Thank you.

Chairman Liakakis said, thank you very much.

ACTION OF THE BOARD:

Ms. LaToria Whitehead, Public Health Advisor of the Centers for Disease Control and Prevention, introduced Forrest Staley, Program Director of the Georgia Lead Poisoning Prevention Programs, who gave a report this community and the State of Georgia are facing with regard to lead poisoning.

Harambee House, Inc./Citizens for Environmental Justice
115 Habersham Street
Savannah, GA 31401
T: 912-233-0907 F: 912-233-5105 email: cfej@bellsouth.net

AGENDA ITEM: VI-1
AGENDA DATE: October 19, 2007

September 25, 2007

Pete Liakakis, Chairman
Chatham County Commission
124 Bull Street
Suite 2007
Savannah, GA 31412

Re: County Commission October 19th Agenda

Your Honorable Sir:

This letter is written to request opportunity for LaToria Whitehead, Public Health Advisor of the Centers for Disease Control and Prevention, and Forrest Staley, Program Director of the Georgia Lead Poisoning Prevention Programs, to address the Chatham County Commission on October 19th 2007 at the regularly scheduled 9:00AM meeting concerning lead awareness.

These presentations will not exceed seven (7) minutes. The information provided is intended to educate the citizenry as to the effects of lead poisoning, lead testing, lead housing abatement and lead employee training opportunities.

For additional information, contact the Harambee House, Inc. at 233-0907.

Sincerely,

/s/

Dr. Mildred McClain,
Executive Director

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NEWS CONFERENCE

Chairman Liakakis said, I'd like a motion on the floor for us to recess for just a few minutes for a Press Conference.

Commissioner Farrell said, so moved. Commissioner Stone said, second. Chairman Liakakis said, we have a motion on the floor and a second. Let's go on the board. The motion carried unanimously.

The Board was reconvened as the County Commission at 9:57 a.m.

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VII. COMMISSIONERS' ITEMS

1. UPDATE ON CURTIS V. COOPER HEALTH CENTER BY LEON BURTON (COMMISSIONER ODELL).

Chairman Liakakis said, I'd like to call on Commissioner Odell, who will give us an update on the Curtis V. Cooper Health Center and we'll have some information from Leon Burton also.

Commissioner Odell said, thank you, Mr. Chairman. Approximately six weeks ago we had a brief discussion from our Health Department and part of the information discussed involved the Curtis V. Cooper Health Center. We have a lot of exciting things going on at Curtis V. Cooper Health Center and Mr. Burton, our Executive Director, will come and give us a brief outline. Mr. Burton?

Mr. Leon Burton said, good morning. Mr. Chairman, Commissioner Odell, Commissioners, thank you for having us here this morning. I had an opportunity to speak with Commissioner Odell and I appreciate the opportunity to present to you today to give you some update as to where we are and where we're going. First, I would like to thank Mr. Abolt and his staff, Dr. Martin, as well as Dr. Skelton for their support of Curtis V. Cooper, as well as the support of the Commissioners. It's a pleasure to work with the Commissioners, the County Administrator and his staff, as well as the Health Department, Dr. Skelton and Dr. Martin. I would just like to share with you this morning that as a participating member of the Safety Net Planning Council, we support the concept of the Safety Net Planning Council. I think the Commissioners should be commended for coordinating that council. It's a group of community agencies working together for the betterment and the quality and improvement of life of the citizens of this community. The concept is one that to improve access to health care, to coordinate and maximize resources in this community and minimize duplication of services. Those are the things that we are about, and as you just had your press conference regarding fiscal responsibility, that's also what we are about.

Mr. Burton said, we have before you this morning a presentation that we want to present. One of the things about Curtis V. Cooper Primary Health Care Center is that we are here to provide access, to provide convenient services and to provide quality health care in an affordable manner. That's what we do. That was the intent of the mission of the Curtis V. Cooper some 33 years ago, and that is continued the intent today.

Our first slide — [pause]. I apologize for that delay. Our first slide is we'll show you basically who we are. We are a private, not for profit cooperation. Our funding is derived from several resources. Those resources will include the Chatham County Commission with the indigent health care contract that we currently have. It also includes the Bureau of Primary Health Care, which is a division of the Department of Health and Human Services or the Health and Resources and Services Administration and, of course, our patients. Our patients are very vital to the existence of Curtis V. Cooper. Our patients are why we do what we do. We saw a need some 33 years ago to ensure that our patients had access to quality healthcare services and, of course, they help finance those services. We collected approximately \$2.8 million last year from our patients in order to continue the services that we provide.

Our next slide is our mission statement. In our mission statement we made a commitment. Our commitment was to improve the health status of all individuals in Savannah and Chatham County. That commitment continues today. We do that by providing accessible, convenient quality healthcare services by qualified staff who are culturally sensitive. We continue that commitment and we live up to that today.

We have three sites that we operate. The main site is our East Broad Street site. As you know, that site was constructed in 2003. It was dedicated in 2004. That site has 26 exam rooms. It's approximately 32,000 square feet. In addition to that, we have the Roberts Street site, which is located at 2 Roberts Street, West Savannah. That site has approximately 16 exam rooms. And the third site is a public housing site, which is located at Robert Hitch Village. That site has two exam rooms, about 1,000 square feet, and that site was established through the collaboration of the Savannah Housing Authority and Curtis V. Cooper, and we are happy with that relationship. We probably serve approximately 1,000 individuals per year at that site. Our services will include medical services. As a part of those services you receive prenatal, you receive pediatric. We would also have adolescent and adult and geriatric care. In addition to those, we provide dental services. At the present time, unfortunately the dental services are no longer available. We lost our dentist about two weeks ago. We are currently recruiting that staff person.

Hospitalization services. I was looking at your agenda and you can see that as part of our hospitalization services one of the recent events is that we've tried to develop — we have developed a collaboration with Memorial Hospital. Previously, our physician staff provided all of the hospitalization services for our patients in addition to the routine medical care that we provide at our three sites. We've entered into an agreement with Memorial Hospital where their hospital staff will provide the hospital services. We probably did — in 2004 we probably did approximately 9,000 hospital visits. In 2005, approximately 12,000 hospital visits. Because of the budgetary constraints because of national and federal mandates in relation to National Health Service Corps physicians, our physicians are required to work a minimum of 32 hours per week within the Center. Prior to that we were scheduling those physicians to work seven days a week outside the Center. We can no longer do that. In January of 2007 Memorial Health Center assisted us by providing hospitalization service to 50% of our patients. We elaborated over the past several months and as of September they now provide hospitals services to 100% of our patients. That cost that we will incur as a part of that contract will be costs that we will incur as part of our overall operation in the budget and not require any additional funding at this particular time.

In addition to the hospitalization, we have a laboratory which we provide on the site, pharmacy which we also provide, and X-ray services. Our other services include HIV counseling, nutritional counseling. We have a Medicaid eligibility relationship with the Division of Family and Children Services — DFCS — which you are well aware of, and we also provide limited transportation services. I would like to say to you that as part of all those services that we provide, you will see as you look at the next slide that we are seeing a steadily increase in our patient base. In 2004, we reported 16,151 individual patients that we serve. In 2005, we reported 16,291. Not a significant increase, but when you look at 2006, we reported 17,250 patients that we served. Some of that is attributed to the fact that our patient information system is not as adequate as we want it to be, but we've done a better job in collecting data and reporting data. Some of that, of course, has to do with the impact on the policy — federal policy — regarding coverage for our patients, Medicaid, the lack of availability of coverage for adults, working residents, and we feel an obligation to ensure that we have access to that healthcare for all of our patients.

As you will observe from the next slide, we're showing you the number of uninsured and under-insured patients that we serve. As part of the indigent healthcare contract, it is our obligation to provide services to overall patient

population, especially those who are medically under-served. In 2004, we provided services to 9,000 uninsured — under-insured patients. In 2005, we provided services to 10,394. In 2006, it's 11,688. We provided those services at a cost in 2004 of \$548 — at an average cost per patient of \$548. In 2006, that's an average cost of \$489, which is a reduction of about \$60 in costs. As you can also see, the total cost of providing services to that patient population was about \$5,115,000 in 2004 and \$5.7 million in 2005. Those patients also represent the number of patient contacts that enter into our Center. We had about 57,000 patient contacts in 2006 and those patient contacts are applicable to the relationship to the average cost per visit. I think as part of the Safety Net Planning Council's report, it was reported that the average cost per visit at Curtis V. Cooper was \$114. The average cost per visit in 2006, based on an analysis of the report by the Federal Government, which excludes laboratory and x-ray costs, was \$102, but if you include laboratory and x-ray costs, it will well exceed the \$102. Laboratory cost is about \$18 per visit. The pharmacy cost is \$37 per visit in 2004 and \$174 for dental cost in 2004 and \$114 for medical cost in 2004. In 2006 our medical cost was \$102 per visit and, as you can see, dental was \$141, pharmacy was \$31 and lab and x-ray was \$19.

We continue to be cost-effective, fiscally conservative in providing services to our patients. We wanted the Commissioners and the community to know that the investment that you have shared with us for the services that we provided to the community, that there is a return on those investments. As part of the medication program, when I first arrived at Curtis Cooper we were not taking advantage of the free medication program as much as we should have. By focusing in on that area, Pfizer, which is a prescription assistance program, in 2004 we did \$1.8 million in free medications to our patients compared to the previous year in 2003, which was approximately \$500,000 to \$800,000; in 2005, \$2.4 and in 2006, \$2.8. This is a national program that was established for federal-qualified health centers through Pfizer and the National Association of Community Health Centers. That's only one pharmaceutical company. We also participate along with MedBank into — with another prescription assistance program, and that program is one that where we complete applications with other pharmaceutical companies. In 2006 we generated about \$300,000 in free medications to our patients. That's costs that we no longer have been incurring as part of our operational budget. So we reduced our cost, but we reallocated cost.

One of the things I would like to say to you, we have several challenges before us. One of the challenges that we face is that since we no longer admit patients and follow patients in the hospital, is that we are challenged with seeing more patients among the health center. Another challenge is that we must be able to complete and comparable pay for our staff, professional staff, clerical staff. We've found that we are significantly — there's a significant variance in the compensation that we pay our staff compared to other health care providers and we've been focusing on that especially with the Board of Directors' support on trying to close that gap, but we must continue to do a better job in that area.

We must continue to provide excellent, the best customer service possible to our patients. We must continue to ensure that those services are provided with respect, with compassion and in a professional manner. We must ensure that we are dependable, responsive and we make decisions in a timely manner, especially those decisions that affect patient care. We must continue to improve the existing technology in our center in order to ensure that patient information, financial information and management information is available. We must continue to see opportunities to elaborate. It is important that we look at, as the young lady said before you, the holistic approach. Health care is only one aspect. Everything that affects a person in their home environment, also potentially has an impact on their health care environment, and we want to collaborate with community agencies, other health care providers, to ensure that we have a improved healthcare outcome for our patients.

Mr. Burton said, so Mr. Chairman, Commissioners, I really thank you for this opportunity to give you an update on Curtis V. Cooper and I'll be willing to answer any questions that you may have.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, Mr. Chairman, just by way of information, I'd like to acknowledge Mr. Miller, who's on the board. You can walk up, Mr. Miller. Mr. Miller said, I'm getting old. Commissioner Odell said, he's — 30 years ago, when I came here, you were old. Ed [Miller] has given — he has given time to this board, free uncompensated time to the Curtis V. Cooper Board of Directors — a former principal in the public school system and I think this board has done an excellent job. Let me just say that Curtis V. Cooper is for ambulatory care, and that is outpatient services. We fund in part this organization, which is a good thing. We're obligated. If you look at our charge, part of what we are obligated to do is to provide health services to those who are financially unable to pay and who have a limited ability to pay. But we also own a place called Memorial Medical Center, and for the last 10 years I've wanted there to be a greater coordination between Curtis V. Cooper and Memorial because it just makes sense. And the sense to me that it makes is that we can no longer afford to allow people to get in such critical stage that they have to go into the hospital where the costs are draconian, to say the least. It's this kind of system that's creating a financial deficit at Memorial. You know, and just to be economically fair, it's not that these places are not doing a good job, it is that they are underfunded. Putting it another way is, we cannot sweep to the side or under the rug poor people and assume that they will just go away. They'll show up in the hospitals and you'll have a \$200,000 bill when you could have treated that as an outpatient at \$110 a visit. To me fiscal conservative means that you anticipate and try to avoid some unnecessary costs. It's not just illogically eliminating the funding for programs, it is logically determined that the best way to maximize the use of funding. And we're trying to do that at Curtis V. Cooper. We're trying to do that at Memorial Medical Center. This is an area which I am personally interested in. We met with Mr. Burton and Dr. Martin and we had a candid, extensive discussion and we left all feeling very good that everyone has a role to play and that we're going to work as a team. We are a team. This is Chatham County. We are one people. We're not many people, we are one people, and we will work as one organization. And, Mr. Burton, I personally thank you and, Mr.

Miller, I give you a hard time, but I appreciate. Most people don't realize how difficult it is to get intelligent people, who have don't have an agenda, who can serve on the various boards that we have. You know, people who have agendas always want to be on boards because they can gain some personal benefit, but to have people who have no personal benefit, who are intelligent and creative and to give — I mean, when I find one we often work them to death. You won't believe this, Ed [Miller] is only 34. Mr. Miller said, that makes you 11. Commissioner Odell said, it does. And I'll yield.

Chairman Liakakis said, thank you very much. Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I want to commend you on the great job that you do with the resources that we give you. One of the things I had a great interest in, and we've had a couple of presentations by the Safety Net Council Group, the first time they came forward I asked if they were keeping any statistics on the number of patient encounters that were coming to our system that were from people who live outside of Chatham County. I think it's wonderfully compassionate that we in this County choose to serve people who are from outside of Chatham County, and I'm not suggesting that we should ever stop, but it is important for us to try and determine in negotiations on a going-forward basis with State Government, for example, what number of people that we're seeing in terms of the encounters that are from outside of our local zip code. The second time I came I asked that question again, which was not so long ago, several months ago, and I was promised a response. I haven't gotten it yet. I don't know that you know the answer to that. I don't know whether you track by zip code or anything like that who the people are that you are serving, but I would ask that we be very careful to keep track of those numbers on a going-forward basis because in my view it's unfair to tax Chatham County citizens for providing healthcare services to people from other counties unless we are aware of the volume of it and unless we have the opportunity then to go in our interactions with those outlying counties or with the State Government and say, you know, we are serving I'm guessing a large number of people that come to your facility and come to Memorial and come to our community for this service are from outside of Chatham County because the outlying counties to my knowledge don't provide service anywhere near this level.

Chairman Liakakis said, the County provides over \$4,000,000, as you know, to the Curtis Cooper Health Center and it's really important that we have that information because we need to show that to the State and also to these other counties also because a lot of people are coming in from these other counties. So, as Commissioner Shay has mentioned, if you could in the very near future make sure — and I'm sure that you get the addresses of people — and have somebody on your staff to give us the numbers of people that do not live in Chatham County so that we can go forward with that and see about getting funding from other areas. That would help us out. Mr. Burton said, yes sir.

Commissioner Odell said, Leon [Burton], just by way of information, we looked at this a few years ago, when patients come in an address is requested, and some people are homeless and they simply give geographic locations — the bridge or — we don't necessarily, Patrick [Shay], verify addresses. As far as ambulatory care, those people who can walk who come in for a scheduled appointment or an emergency appointment. Most emergency, when it gets to the point where they pass out or cannot breathe, then the people who are suffering the greatest I will predict will be the inpatient, and that would be Memorial. We request address information from all people who come to the Center, so obtaining that information is not going to be that difficult. But just to be anticipatory, for ambulatory care it's going to be a very low number. I would predict less than 2%. Inpatient is where someone lives in Bulloch County, they work here, they have an attack of what-have-you, then they are brought to Memorial Medical Center and that person incurs \$100,000 bill. It is one of the reasons that at one point we had the Indigent Care Trust Fund, which was supposed to spread that out based upon services, but that has not been funded for many, many years, and that's not a party lack of fund. The Democrats did just as bad as the Republicans did as far as not funding indigent care, and places like Memorial have been the ones to suffer. And you will hear — just as an aside — there will be negotiations regarding the prisoners and healthcare, which will involve our Sheriff and Commander Holmes, which is creating some concerns as far as Memorial. But you will need to get that information to us as to —. If you could do it by zip code, that would be good, but our primary concern is in-county as opposed to out-of-county. How long do you think it would take — two weeks? Mr. Burton said, we can have it to you in two weeks. Commissioner Odell said, I appreciate it, Mr. Burton. Mr. Burton said, we've already addressed the issue at Planning Council so we are aware of that, and we are able to provide that information by zip code.

Commissioner Shay said, that's great. Thank you very much. Mr. Burton said, thank you all.

ACTION OF THE BOARD:

Mr. Leon Burton gave an update on the Curtis V. Cooper Health Center and advised that in two weeks he would have the requested information regarding visits by patients who are not residents of Chatham County.

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2. CONTEXT SENSITIVE DESIGN AWARD MPC/MPO (COMMISSIONER STONE).

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, thank you, Mr. Chairman. Before I ask Mark Wilkes, who's in the audience from the MPC, to come forward, I just want to acknowledge the MPC for this award. I believe it was in 2002 or 2003 that I had the opportunity to work with Mr. Wilkes and the County Attorney to draft this resolution, and this was borne out of the concern for the widening of Whitfield Avenue, and it's goal was to provide for a landscaping plan, sidewalks and bike

paths, and this would be applicable for all of our future roadway developments. So moving forward, the Chairman and Mr. Bungard and the Department of Transportation, we have I think kept Whitfield Avenue on track. Some of the landscaping and some of the sidewalks are already there. So this is, I think, something that's very important. Commissioner Shay is working to keep our community the greenest. This all comes into play and, Mark [Wilkes], if you would come forward and explain what this award was for and how we got there, I would really appreciate it. Thank you.

Mr. Mark Wilkes said, thank you, Commissioner Stone. I have with me the award today. We at the Metropolitan Planning Commission and particularly those of us on the MPO staff of CUTS are very, very pleased to receive the recognition from the Georgia Chapter of the American Planning Association for what is described as an innovative and effective planning process for the Transportation Amenities Plan and Context Sensitive Design and Manual that we have developed. And it is, as Commissioner Stone said, this arose in 2003 out of a growing realization that Whitfield Avenue was one of the major challenges at that time. A growing realization by our Board, the CUTS Policy Committee that existing nationally-recognized design guidelines were not reinforcing all of the values that we have for our transportation system. And so we were given the charge to find a better more flexible, more creative way as the MPO to help produce better transportation projects, and we saw Context Sensitive Design as being integral to that, and there were a lot of steps, lot of support. Commissioner Stone was very supportive upfront at the very beginning stages and throughout the process, but as Commissioner Stone mentioned, there were enabling resolutions that we crafted that were passed not only by the County, but also by the City of Savannah, by the Town of Thunderbolt. We had the support from the Department of Community Affairs in terms of Quality Growth Grant that we were able to obtain. We were able to hire Glating Jackson, nationally recognized consulting firm with expertise in Context Sensitive Design. So it was really a multi-disciplinary effort. We brought all of the City and County agencies together. Even Georgia DOT was at the table and was very supportive of our funding. The County and the City I appreciate very much the funds that they were able to put forward to help us match the grant funds that we obtained. So it's been a lot of support and a lot of very positive things happening and, as a result of the plan, we have been able to carry the results of the Context Sensitive Design plan through the MPO's congestion management system process, which is a federally required congestion managing process we do as part of the MPO planning process. Those recommendations are carried through our long range plan so this effort is really permeating everything that we do in terms of transportation planning, and the concepts that are recommended in the manual are finding their way into our long range plan. So it is an effort, as Commissioner Stone alluded, requires on-going stewardship on a project by project basis, but we feel like we have put together here the tools, the guidelines, the necessary references to help the staff that works on these projects explore the available flexibility in Current Design standards that will allow for large canopy trees to be incorporated in our projects that will allow sidewalks and bike lanes and good landscaping and overall good quality projects that reinforce our community values rather than, you know, rather than taking the cookie cutter approach of a road that looks like anywhere else in the country. We're very excited that this has gotten this far and we're able to continue pursuing it. Thank you.

Commissioner Stone said, thank you and, Mark [Wilkes], I really appreciate all the work that you've put into this because I left the MPC to come be a County Commissioner and this project did not die. If anything, you kept it moving forward and the end result is that you were recognized by the State and I believe you've put in an application for national recognition.

Mr. Wilkes said, well, we're hopeful, we're very hopeful and, again, many thanks to all of the people that I may have not mentioned today, but the Tree Foundation, Park and Tree, all the different local agencies that came together and helped us put this together was really great.

Chairman Liakakis said, okay. Thank you very much. We appreciate it, Mark [Wilkes].

ACTION OF THE BOARD:

Commissioner Stone recognized Mr. Mark Wilkes for receiving the Contest Sensitive Design Award MPC/MPO and Mr. Wilkes explained what the award was for and how it was obtained.

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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 (*).

None.

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IX. ITEMS FOR *INDIVIDUAL ACTION*

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

- 1. TO REQUEST APPROVAL OF THE FOLLOWING: AN AMENDMENT TO THE SERIES 2005 DSA BOND FUND TO INCREASE REVENUE \$586,161 FROM PAYMENTS BY UNION MISSION AND INCREASE THE APPROPRIATION FOR THE BEHAVIORAL HEALTH CLINIC PROJECT \$586,161.**

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

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

Chairman Liakakis said, we have a motion on the floor and a second. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Stone moved to approve the following: An amendment to the Series 2005 DSA Bond Fund to increase revenue \$586,161 from payments by Union Mission and increase the appropriation for the Behavioral Health Clinic project \$586,161. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: IX-1
AGENDA DATE: October 19, 2007

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Linda B. Cramer, Finance Director

ISSUE: To request approval of the following: an amendment to the Series 2005 DSA Bond Fund to increase revenue \$586,161 from payments by Union Mission and increase the appropriation for the Behavioral Health Clinic project \$586,161.

FACTS AND FINDINGS:
The Board of Commissioners approved a funding plan for construction of the Behavioral Health Clinic at their meeting held April 21, 2006. The plan included participation by Union Mission. Additional payments of \$586,161 have been received. An amendment to recognize the revenue and adjust the project budget is attached.

FUNDING: The budget amendment will establish funding in the Series 2005 DSA Bond Fund.

ALTERNATIVES:

- (1) That the Board approve the following:
 - SERIES 2005 DSA BOND FUND**
 - an amendment to increase revenues by \$586,161 from payments by Union Mission and increase the appropriation for the Behavioral Health Clinic project by \$586,161.
- (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 DIRECTION ON THE EXTENT OF "GREEN DESIGN" TO BE INCORPORATED IN THE DESIGN OF THE CHATHAM COUNTY DETENTION CENTER EXPANSION.

County Manager Abolt said, Mr. Chairman, Commissioner Stone, Members of the Board, this falls in sequence after the resolution was passed acknowledging Chatham County to have a goal of being the greenest county around and just not on St. Patrick's Day. Mr. Bungard has come forward with some options and choices for you as we approach one of the major elements of that 300-plus million dollar construction schedule in front of us, namely the Detention Center. County Manager Abolt recognized Al Bungard.

County Engineer Bungard said, well, we have some decisions to make and that is going green costs money and saves money. We had a report provided to us by the Facility Design Group during the negotiations, which was done by — for the State of California for their sustainable building green council based on a task force created by their governor, and what this report says is, again, that it is relatively new, that it's an enately subjective process, but that for instance there's a minimal upfront investment of about 2% of construction costs typically leaves a life cycle cost savings over 10 times the initial investment. It goes on further to say that there's about five categories, I believe, that are addressed when you go through this process of evaluating LEEDS — excuse me — green or sustainable buildings, and those terms are used interchangeably. There's certain of those which are tangible and somewhat measurable: energy, water, sewer, those kinds of costs, and some that are enately intangible: productivity, health benefits and a few other things. So we went to Facility Group and said, "How much?" and there are four levels of certification. There's the basic and you get these points, and the United States Green Council acts — you hire somebody, they go to them as a third party, sort of validation on the process. So you could design something just looking at green sustainable kind of options, not take certification. You could go ahead and go for the basic certification, you get so many points. You submit these and then you have gold, silver, platinum. And on the one end I think is the most tangible kinds of things and then on the upper end where you go platinum there's trees planted on rooftops, silver reflective material. You can even get into large facilities where you're looking at ways to put energy back into the grid. Very expensive, very costly. The Facility Group does not recommend going there at all.

There's only one correctional facility that we're aware of by doing some research on the web that is LEEDS certified. That is one by the Federal Bureau of Prisons in North Carolina because of the rigidity and the strictness and security concerns. Most of the data you see in the staff report we gleaned from the web based on stuff that was done in various school systems and a lot of it from California. So we asked, "What would it cost during the design phase to go for the basic level of certification?" and they said about \$500,000. Construction costs, if you figure that it's about 2% of construction, that'll apply to every bit of construction: the buildings, the offices, even the parking garage. You'd be adding on the order of three to four million dollars, you know, to the construction cost. That's simply an estimate. How we go about measuring those I honestly don't have a clue; how to benchmark the return on investment on the energy savings. All we have at this point, as we put in the staff report, that back several years ago their facility's annual electrical cost was around a half a million and now it's over a million, and we know those are going to go up as the cost of energy goes up. Yes sir?

Commissioner Farrell said, I have a question. Could you give me an example of why it costs more money to design a facility from the very beginning to be green when there's absolutely no work been done that has to be scuttled or pushed to the side? Could you give me an example of why it cost a half a million dollars more to design this building from scratch to be green with those parameters rather than just other parameters?

County Engineer Bungard said, I personally cannot, but the person who's smarter than me on this based on the research she's doing is Ms. Yousuf, if she can. But from the literature I've read it does say obviously that if you get their earlier in the process, you have more things you can do. Parveez [Yousuf]?

Ms. Yousuf said, good morning. I'm going to try my best. In my understanding, the additional design fees to LEEDS, the U.S. Green Building Council who monitors this LEEDS system, they kind of act as a third-party validation. They have very strict criteria. It's not just someone who comes up and says, yes, this building is energy efficient or whatever. They've established very, very strict, stringent criteria, and to go through that process requires a lot of — there's definitely additional effort from the design team. It's one thing to put in certain features and say that it's energy efficient and to go through this process it's a step beyond that — a couple of steps beyond that. But that is just in the design effort. But to go through the certification process there's a lot of reporting because it is this U.S. Green Council [sic] that certifies the building, and if they put their stamp on it they want to know — they want all that information. So there's a lot of reporting and verification that's involved. So there's extra design effort and also the reporting effort.

County Engineer Bungard said, I don't think that answers your question.

Chairman Liakakis said, Pat [Shay].

County Engineer Bungard said, I think what the process does is it forces you to look at certain materials, which you may not otherwise consider, but I think your question would be why couldn't that have been considered in the process anyway without going LEEDS.

Commissioner Shay said, I'm a LEEDS-certified designer and I do LEEDS-certified buildings. So maybe I can help you out a little bit here. The LEEDS process is a very rigorous and very scientific examination. It's not just allowing you like some of our oil companies and some of their television ads to say, "Hey, we're green." You've got to prove

it, and the design process, selecting materials that are resource conservative, does not require more time or more energy. That's the mind set part that occurs in the staff report, but from an engineering standpoint you have to certify and demonstrate that you are meeting all these criteria in order to get the points. One of the most important aspects of any LEEDS-certified project, and especially one of this nature, is commissioning. In other words, once these energy efficient systems are specified, having an independent agency come in and go through the entire building and make sure every single provision works and works properly and is integrated into the controls, a lot of this is very sophisticated in terms of management of controls. I would think a detention center would be a very special interesting challenge in that regard. So getting the commissioning piece, and that's, you know, the — in order to obtain the higher levels of LEEDS certification, the design engineers aren't even allowed to come in and do the commissioning. It's got to be an independent third-party that comes in and makes sure that what's been specified and the standards that have been established are being met by the contractor. Commissioning is probably a good idea for all of our buildings in the entire \$385,000,000 building program that we talked about earlier today, but on a LEEDS project this is very, very important. I don't know that I'm immediately believing that it's \$500,000 more, but I guess because we're having identified which of those 70 or so points we want to actually attain, it's difficult for the designers to identify that, but I would say we need to focus as much of our design effort as much as possible on those that are about energy conservation and about long term maintained costs and that those would have the most return on investment for future commissioners because if we can reduce our electricity costs on those facilities by a million dollars a year, that's actually not a — looking at what future energy prices are going to be for electricity, that's not an unrealistic expectation — then you'll get more than dollar for dollar return on what you're investing in additional design now and perhaps in some additional construction cost. But I think it's very difficult for me to say \$500,000 is the number until the goals are actually established and we know which ones. You know, as a LEEDS-certified designer, I'll tell you, you can get about 20 points from low hanging fruit and it doesn't cost you anything, but the further you go up that ladder from LEEDS-certified to gold to platinum and so forth, it becomes much, much harder to qualify for those points.

Commissioner Farrell asked, well, was this \$500,000 figure just for the basic LEEDS certified, which is the lowest level of LEEDS? County Engineer Bungard said, it's my understanding for the low-hanging fruit involving energy and water and sewer, and that was just a number they threw out. We haven't had an opportunity to go back and address it. We have the same questions you have, sir: "Why 500? What does that buy? How did you come up with the number?" We don't know. Commissioner Farrell said, yeah, I'd personally like more information before I voted and spend a half a million dollars, a little more detailed information. Theoretically and philosophically, I'm definitely for building the best building we can build for the money and the most efficient building, knowing that saddling future budgets with high maintenance costs and high energy costs is not the best stewardship of this SPLOST funding that we have to use here in the very near future. So I'm very much in favor of doing energy-efficient buildings, but I'd also like a little bit more information as to when we start adding more cost to the architecture and engineering of this facility that we know exactly what we're paying for. County Engineer Bungard said, we were handed that number on Monday.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I would concur with what Commissioner Farrell just said. I would like to before we actually place a vote on it, but the thing that concerned me, and you touched on it Commissioner Farrell, is that the SPLOST money is there to build something. Once it's built, it's up to this Commission to oversee the expenses of the maintenance, the staffing and, of course, the utilities and it sounds like to me certainly by thinking about this on the front end we can certainly reduce the cost going forward, and it sounds like to me if \$500,000 is the starting cost and you've already recognized that in savings in your utilities, then this would be money well spent, but I —. Go ahead, I'm sorry. County Engineer Bungard said, there's also an increase in instruction costs. Commissioner Stone said, right. County Engineer Bungard said, [inaudible] that, too. Commissioner Stone said, I understand, but if I listen carefully to what Commissioner Shay just said, and some of those may not be as large as we think, it's really getting the certification. So I'm very interested in looking into this. I do think it's the way we need to go in the future and I certainly do not want to saddle the citizens of this community with extreme utility — rising utility costs going forward, because I think that just staffing and maintaining the facility is going to be difficult within itself.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, Mr. Chairman, I'd like to make a motion that we resolve that we would like to pursue the design and construction of this facility to meet the LEEDS certification requirements with a special emphasis on the energy conservation provisions, but that the details of the incremental costs from a design fee standpoint and later in the process from a construction cost be brought back to us so that we can better understand those. I think it's —, as I read what's been proposed in front of us, this wasn't a request for \$500,000, this was a request for direction as to what avenues to pursue, and I think that's what we need to do is say that, you know, we're interested in saving our constituents in the future a lot of tax dollars, but we need to initiate that process now. Commissioner Odell said, second.

Chairman Liakakis said, all right. We have a second. Now for — go ahead, Harris [Odell], additional.

Commissioner Odell said, just one or two comments. If we assume that the energy problem is only going to get worse in the future, I don't see any bright star on the horizon that's going to reduce overall energy costs. I think it's going to continue to grow and if you combine that with just looking at our population, the first baby boomer just applied for and will receive social security, and so you're going to have an older population and older populations are less — they are not as happy about taxes as, say, a 34 or 35-year-old. So what we have is we have a problem of energy that's going to continue to be aggravated, we have a population in the future that's going to be less sensitive about taxes, and

SPLOST funding will construct the building, but our annual budget will pay for the operation of those cells. So any cost that we can reduce up front, to me just makes good sense. It makes good sense now, it makes good sense a year from now, it makes good sense five years from now. I concur totally with Commissioner Shay's conclusion. We need to examine in more detail the cost benefit and the cost benefit should not only be short term, but long term. What is the life potentially of the beds — new beds, and by doing one thing, what would be the potential cost saving over the life of those beds? That's a system that I would encourage be brought into the analysis. It does not give glory to the people who make the decision. We don't get any benefit. The people who get the benefit are the Commissioners ten years from now who save money because in the planning and design we were able to bite the bullet and do some things that are cost effective over time and beyond term. And those are just the comments.

Chairman Liakakis recognized Sheriff Al St. Lawrence.

Commissioner Gellatly said, I was just going say the staff and I are certainly not opposed to doing certain things in the construction and design end of it to save the County money, but what I want you to understand is some how or another, and we talk about going out and get more information and come back, we need to move along with a design contract of this facility. We're looking at now probably 45 - 48 months before we get another facility. I've got 1,827 inmates as of yesterday morning in here. I've got 1,224 beds, I've got 300 temporary beds. At the count of 1,827 I'm 303 over with three more in the hospital. So all I'm saying, if we're going to do this, let's move ahead and do it and get a design contract. Sooner or later a day of reckoning is coming on this inmate population and we're just — if it wasn't for the staff doing the kind of job they're doing, we've got a lot of tension out there because of the overcrowding and we're doing the best we can. I just want to get things moving I guess is what I'm saying. I'm not against the green design. It's something Commissioner Shay is more familiar — he probably forgot more last night than I'll ever know about it —, but if it will save money, I don't have a problem with it. But I've got other problems I've got to consider and it's moving ahead at least as rapidly as we can.

Chairman Liakakis said, all right. Let's do this, if you so desire. Because of the water savings, the utility savings can be a substantial amount of money, it reduces the greenhouse gases. I mean, it has a lot of great things with this LEEDS and this green design, so what I'd like to do, if the Board so desires, that what we do is contact those — the people from the Facility Group and have them within the next week or two to give us the exact information so that we have it at our next meeting and we can vote on it. So we'll just put it off just a couple of weeks, but I mean if we don't do that then we could have a situation going on.

Commissioner Kicklighter said, Mr. Chairman, I have no problem supporting an energy efficient design, but in order to help the public have a better understanding of what expenses we're paying, I would like to see the wording removed from number two that's in quotes that says "green design" replaced with the wording in quotes that says "energy and utility efficient —." Commissioner Shay said, sure. Commissioner Kicklighter said, — design. Energy and utility efficient design. And that's a full explanation to people when a headline hits tomorrow that X-amount was spent on something that this makes sense. What got this County in trouble in the past was it's construction of projects without the operating expenses to operate it efficiently, and this is a smart move for the County, but it can be better explained without the words "green design" and those words being replaced with "energy and utility efficient design." I have no problem supporting it.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, first of all, I agree with what Dean [Kicklighter] said. I'd appreciate a wording change also. I want to reiterate what the Sheriff just pointed out. He's got 1,825 prisoners in a facility that basically was built for 1,150 prisoners. All it would take is one lawsuit well placed in federal court and we will have a federal judge telling us to effectively immediately remove 675 prisoners from that facility. That could happen in a 24-hour period and so I just want to stress this. That green is wonderful and saving cost is wonderful, but everything that we talk about, we're talking about delay, delay, delay and not only is it a delay as far as planning is concerned, I'm sure when you're getting up with the energy efficient material and what have you, that has to be specially produced, custom produced, and that means delay, delay, delay — and Pat Shay says that doesn't, so I stand corrected because he's the expert. But the planning, we cannot afford anything that's going to equal delay and we had better take it seriously when the Sheriff of Chatham County tells us that he's got 1,825 prisoners in a facility that was designed for 1,150 prisoners, what impact that would have if a federal judge said come Monday morning bring that population down to 1,150. It could not be done. You would have to turn loose hundreds of criminals on the streets of Savannah, and I'm not for that and I know that nobody else is either. Thank you.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I agree with Commissioner Gellatly. There's no need to delay this at all. There's no need to delay it at all. What we're talking about is giving the people that we're going to hire, and I presume there's a process going forward of negotiating a fee with them right now, that we're going to see relatively soon and we're going to vote on and they're going to go —, it doesn't take longer for a designer to design an energy-efficient building and it does not take longer to build an energy-efficient building. But I'll tell you right now the price of electricity in Georgia in this market is about \$9 a kilowatt hour. The world price is over \$20 a kilowatt hour, and we're going to be headed toward the world price very, very quickly here. So if it saves a million dollars in today's dollars at today's rate, it's going to save two and a half million dollars in the future. But there's no reason to delay having a vote today. I made a motion. I can amend my motion to strike the word "green design" from the first sentence and change that to "energy and resource conservative design," which is what green design means, and we can therefore direct staff to move forward posthaste

with the design team facilities group to ask them to incorporate into their fee what it would take a LEEDS certification at the lowest level with an emphasis on energy and resource conservative design, and they can move forward immediately.

Chairman Liakakis said, let us know the \$500,000, Russ [Abolt], to get that information when they do that because, as the Sheriff said, you know, the overcrowding in the jail so that we can move forward and at the next meeting hopefully that we can have this information to us so that we can vote on it and go from there on the cost factor of what they're talking about designing —.

Commissioner Shay asked, well, Mr. Chairman, does that mean that you mean to expect at the meeting to have the full design fee for the whole project, because the increment is not as important as what the whole design fee is. Let's not digress here and argue over whether or not it's going to be \$500,000. I think that's important information, but what the Sheriff wants us to see is he wants to see the full contract initiated so that they can get started on the design.

Chairman Liakakis said, okay, because we're going to have to vote on the cost factors that's brought to us —. Commissioner Shay said, right. Chairman Liakakis said, — and we want to know all of that information. Commissioner Shay said, however long that takes. It's not taking longer because we're talking about doing things smartly for the future. Chairman Liakakis asked, do you [inaudible] changing that?

Commissioner Kicklighter asked, what was it, Pat [Shay], I said? Commissioner Shay said, just that we would strike the expression "green design" and substitute "energy and resource conservative design" instead. Chairman Liakakis said, and we move on with the design right away. Commissioner Shay said, right away.

Chairman Liakakis said, okay. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Shay moved that the Board resolve to immediately pursue the design and construction of the Chatham County Detention Center (CCDC) Expansion to meet the LEEDS certification requirements with a special emphasis on the energy and resource conservation design and that the details of the incremental costs from a design fee standpoint and later in the process from a construction cost be brought back to us so that we can better understand those. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: IX-2
AGENDA DATE: October 19, 2007

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

ISSUE: To provide direction on the extent of "green design" to be incorporated in the design of the Chatham County Detention Center (CCDC) Expansion.

BACKGROUND: The 2008 - 2014 SPLOST referendum allocates funds for the construction of the Chatham County Detention Center Expansion project. At the Commission meeting on October 5, 2007, the Board passed the Greenest County Resolution. Staff is working on final negotiations on the scope of work and fees for the Architectural/Engineering (A/E) design services with the Facility Design Group.

FACTS AND FINDINGS:

1. LEED (Leadership in Energy and Environmental Design)
 - a. LEED is the nationally accepted benchmark for the design, construction and operation of high performance green buildings. LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health -- sustainable site development, water savings, energy efficiency, materials selection and indoor environmental quality. It has a rating system that was created to provide the building industry with consistent standards for a green building. There are four levels of certification: Certified (26 - 32 credits), Silver (33 - 38 credits), Gold (39 - 51 credits) or Platinum (52 - 64 credits).
 - b. Advantages include the following: LEED certified buildings have lower operating costs, reduce waste sent to landfills, conserve energy and water,

reduce harmful greenhouse gas emissions and demonstrate an owner's commitment to environmental stewardship and social responsibility.

- c. Energy Savings in Schools. Besides the regular LEED systems, the U.S. Green Building Council (USGBC), which manages the LEED program, created a LEED system in 2004 geared specifically for schools. A recent study by the USGBC suggests schools with sustainable construction can save \$100,000 a year in energy costs alone. On average, green schools use 33% less energy and 32% less water than conventional schools. According to another study in 2006, it costs on average less than 2% or about \$3 per square foot more to build a green school than to build a conventional school. The payback allegedly occurs within one year based on energy savings alone.
 - d. International Programs. LEED registered projects are in progress in 41 different countries, including Canada, Brazil, Mexico and India.
 - e. National Programs. Eleven federal agencies including the Departments of Agriculture, Health and Human Services, Interior and State, the EPA, the GSA, the NASA, the US Army, the US Navy and the US Air Force require their facilities to meet LEED requirements. The USGBC counts 22 states, 55 cities, 33 schools, 11 counties and 8 towns that encourage or require LEED-certified public building. Washington, D.C., will become the first major city to require that private developers build "green" or environmentally friendly buildings.
 - f. Regional Programs. Atlanta has the largest number of LEED certified buildings in the nation. Since 2003, the City of Atlanta requires all new city financed construction projects over 5,000 square feet or over \$2 million in cost to be LEED - Silver certified. Georgia will have its first LEED Silver high school Arabia Mountain High in DeKalb County.
 - g. Cost. Five or ten years ago there was a cost premium. Some "green experts" advocate that environmentally conscious facilities do not take more money to build than traditional buildings. Green building does, however, require a different mind-set.
 - h. LEED Detention Centers. The Butner Federal Prison in Butner, NC (530,000 SF, \$98 M), is the only LEED certified Detention Center to date. Other Detention Centers are on the list to be registered.
 - i. LEED Design Experience. The Facility Design Group has LEED design experience. They currently employ nine LEED Accredited Professionals (including planners, architects, and engineers) and have designed eleven LEED certified buildings, but not a Detention Center.
2. Increase in Architectural fees. The cost to design the Detention Center to be LEED Certified will be approximately an additional \$500,000. Facility Group does not recommend a higher level of certification (silver, gold or platinum).
 3. The CCDC. The current facility is about 420,000 SF. The annual cost of the utility bill in 1995 was \$500 K (or \$682 K adjusted for inflation). The annual cost of the utility bill in 2005-2006 was \$1.1M. The proposed expansion will add approximately 400,000 SF (excludes the parking deck).
 4. Information on LEED was largely obtained from the website www.usgbc.org.

ALTERNATIVES:

1. Design and build the CCDC to meet LEED Certification.
2. Design and build the CCDC to follow all LEED criteria, but not seek the certification.
3. Design and build the CCDC based on conventional "non-green" standards.

FUNDING: No funds are required at this time.

POLICY ANALYSIS: To be determined.

RECOMMENDATIONS: For Board consideration.

District 8

Prepared by : Parveez Yousuf

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**3. ADD ITEM TO AGENDA:
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 Commissioner Gellatly.

Commissioner Gellatly said, yes. Mr. Chairman, I would like to request Board approval of a plan of action for managing more than 180 capital projects with a value in excess of \$325 million. Commissioner Odell said, second.

Chairman Liakakis said, we have a motion on the floor and a second, and that's what the news conference was about a little bit earlier, and in this particular — these many projects, they're concerning drainage, sidewalks, intersection changes, parks, other recreational areas, and so it was quite a few things in that 185 [sic] items that we spoke about in the news conference. Let's go on the board.

The Clerk ask, Commissioner Gellatly, you made the motion. Is this to add it to the agenda. Chairman Liakakis said, no, it's already on here. The Clerk said, no it is not. I just put that on there for your information.

Chairman Liakakis said, oh, okay. Clear the board. Alright, let's go on the board for the motion to approve. County Manager Abolt said, Mr. Chairman, I interpret that as Alternate 1 in the staff report. Commissioner Odell said, yes. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Gellatly made a motion to add to the agenda and approve a plan of action for managing more than 180 capital projects with a value in excess of \$325 million. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: ~~IX-2~~
AGENDA DATE: ~~October 5, 2007~~
AGENDA ITEM: IX-3
AGENDA DATE: October 19, 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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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, under the Action Calendar we have Items 1 through 6 and under Item 6 we have Items A through J. Do we have a motion on the floor to approve all of those items unless a Commissioner has an item they'd like to withhold.

Commissioner Odell said, move for approval subject to — Helen [Stone], do you want to pull? Commissioner Stone said, yes. I just have a question on 6-J. Commissioner Odell said, — with the exception of 6-J to be pulled for further discussion. Commissioner Holmes asked, do you want to pull it? Commissioner Stone said, I want to ask a question about it. Commissioner Shay said, do the rest.

Chairman Liakakis said, all right. Commissioner Kicklighter said, second. Chairman Liakakis said, okay, we have a second now. Lets go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved to approve Items 1 through 6-I. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was 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 OCTOBER 5, 2007, AS MAILED.

ACTION OF THE BOARD:

Commission Odell moved to approve the minutes of the regular meeting of October 5, 2007. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD SEPTEMBER 27 THROUGH OCTOBER 10, 2007.

ACTION OF THE BOARD:

Commissioner Odell moved to authorize the Finance Director to pay the claims against the County for the period September 27, 2007, through October 10, 2007, in the amount of \$6,582,830. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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3. REQUEST BOARD APPROVAL FOR CHAIRMAN TO SIGN THE 2008 MEMORANDUM OF UNDERSTANDING BETWEEN CHATHAM COUNTY AND THE BOARD OF REGENTS OF THE UNIVERSITY OF GEORGIA TO PERMIT CONTINUATION OF SERVICES RENDERED BY UNIVERSITY OF GEORGIA COOPERATIVE EXTENSION—CHATHAM COUNTY.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request for the Chairman to sign the 2008 Memorandum of Understanding between Chatham County and the Board of Regents of the University of Georgia to permit continuation of services rendered by University of Georgia Cooperative Extension—Chatham County. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-3

AGENDA DATE: October 19, 2007

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Jackie Ogden, Chatham County Extension Coordinator

ISSUE:

This is an additional document from the Board of Regents of the University of Georgia requesting county signatures.

BACKGROUND:

Request county signatures for 2008 Memorandum of Understanding between Chatham County and Board of Regents of the University System of Georgia.

FACTS AND FINDINGS:

This request is made to permit continuation of services rendered by University of Georgia Cooperative Extension–Chatham County. UGA Cooperative Extension had requested that attached document be signed in addition to the letter of intent of June 27, 2007.

FUNDING:

County operating Fund – FY 08 budget

POLICY ANALYSIS:

This is a continuation of existing contract to permit us to maintain our partnership with the University of Georgia and Chatham County Extension for delivery of Extension programs.

RECOMMENDATION:

We are seeking The Board of Commissioners to sign the attached MOU document that had been reviewed by County Attorney, Jonathan Hart.

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4. REQUEST BOARD APPROVAL TO AUTHORIZE A ONE-TIME \$300 SUPPLEMENT TO NON-SUPERVISORY EMPLOYEES OF CHILD SUPPORT ENFORCEMENT.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request to authorize a one-time \$300 supplement to non-supervisory employees of Child Support Enforcement. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-4

AGENDA DATE: October 19, 2007

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: David Lowe, Director, OCSS

Issue:

To request Board approval to pay a one-time \$300 supplement to non-supervisory employees of Child Support Enforcement.

Background:

The State of Georgia authorized an end of federal fiscal year \$300 payment to all non-supervisory employees of Child Support Enforcement. This authorization included District Attorney Offices under contract to the Department of Human Resources (DHR). DHR will reimburse Chatham County for the costs of this one time salary supplement.

Facts and Findings:

1. The \$300 payment is authorized by the DHR and will be fully reimbursed with state funds (please see attached correspondence from DHR). The total cost will be \$9,300 (31 non-supervisory employees x \$300).

2. Expenditures for Child Support Enforcement are 100% reimbursed by the state. At the September 21, 2007 Commission meeting, the Board approved an amendment to the FY 2008 Child Support Enforcement budget to increase revenues and expenditures to cover the state salary supplement.

Funding:

Funding will come from the 2008 Child Support Enforcement budget as amended on September 21, 2007.

Alternatives:

1. To approve the request to pay a one time \$300 supplement to non-supervisory employees of Child Support Enforcement.
2. Provide staff with other direction.

Policy Analysis:

Expenditures for Child Support Enforcement are 100% reimbursed by the state. This supplement was approved by the Department of Human Resources and will be fully funded by the state.

Recommendation:

That the Board adopt alternative one.

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5. REQUEST BOARD APPROVAL TO CHANGE POSITION NUMBER 16, WHICH IS CURRENTLY A PART-TIME ENFORCEMENT TECHNICIAN TO A FULL-TIME DELINQUENT TAX TECHNICIAN POSITION.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request to change Position Number 16, which is currently a part-time Enforcement Technician, to a full-time Delinquent Tax Technician position. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-5

AGENDA DATE: October 19, 2007

Date: October 15, 2007
To: Board of Commissioners
Thru: R. E. Abolt, County Manager
From: Daniel T. Powers, Tax Commissioner

ISSUE:

To request Board approval to change position number 16, which is currently a part-time Enforcement Technician to a full-time Delinquent Tax Technician position.

BACKGROUND:

The employee in this position will be responsible for the collection of delinquent mobile home taxes. This is a very time-consuming process which requires a full-time employee. The majority of work performed in the delinquent mobile home tax collection process is done in the field. On-site visits to the location of the mobile home are necessary to verify make, model, serial number and location of the mobile home.

FACTS AND FINDINGS:

1. In order to meet the department's needs in the delinquent mobile home tax collection area, I am requesting reclassification of position number 16 to a full-time Delinquent Tax Technician.

2. Additional funding required to change the position for the balance of FY2007/2008 budget is approximately \$6,000.00. Funding for the additional monies needed will come from the 2007/2008 Budget, Object code 52.32005-Postage.

FUNDING:

Funding for this personnel change will come from a transfer of \$6,000.00 from Object Code 52.32005 - Postage to Object code 51.11001 - Salary and Wages.

ALTERNATIVES:

1. Approve the request to change position number 16 to a full-time Delinquent Tax Technician and transfer \$6,000.00 from Object code 52.32005 - Postage to Object code 51.11001 - Salary and Wages.
2. Provide staff other direction.

RECOMMENDATION:

Staff recommends approval of Alternative 1.

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Engineering services contract for preliminary design and environmental permitting services for the interchange at Jimmy DeLoach Parkway and US Highway 80	Engineering	McGee Partners, Inc.	\$352,587	SPLOST (2003-2008) - Jimmy DeLoach Parkway and US Highway 80
B. Confirmation emergency sole source repairs to a wood waste grinder	Solid Waste	Buck's Equipment Service	\$15,090	General Fund/M&O - Fleet Operations
C. Ten (10) tactical bullet proof vests	Sheriff	Uniforms by Patrick (WBE)	\$16,850	General Fund/M&O - Sheriff
D. Annual contract with option to renew for three (3) additional one year terms for right-of-way acquisition services	Engineering	Moreland-Altobelli Associates, Inc.	\$4,850 per parcel	SPLOST (1985-1993), (1993-1998), (1998-2003), (2003-2008) - Road and Drainage Projects
E. Refinish floors in the fixed wing and helicopter hangars	Mosquito Control	Liquid Floor Systems, Inc.	\$38,375	CIP - Mosquito Control
F. Furnish and install 14 courtroom benches	Superior Court Judiciary	Alpha & Omega Church Furniture, Inc.	\$15,400	General Fund/M&O - Superior Court Judiciary
G. Confirmation emergency purchase for the milling of County roads to be resurfaced by GDOT as part of the Local Assistance Resurfacing Program (LARP)	Engineering	Carroll & Carroll (Sole Source)	\$48,960	SPLOST (1985-1993) - LARP projects
H. Professional services project management contract	Construction Management Services	George Bowen	Not to Exceed \$65,000 per year	SPLOST (2003-2008) - Courthouse Construction

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
I. Amendment No. 1 to the contract to provide primary healthcare services to the indigent citizens of Chatham County to inform the Board of the intent of Curtis V. Cooper Primary Healthcare, Inc. to subcontract with Memorial University Hospital to provide hospital services	Commissioners	Curtis V. Cooper Primary Healthcare, Inc.	N/A	No additional funds required
J. Approval to correct the dollar amounts of Change Order No.1 and Change Order No. 2 which were approved by the Board on 5 October 2007. The approved change orders incorrectly showed the increases as "per year" instead of "per cycle" to the cost of the additional scope of services to the contract with Myers and Son, Inc., for canal and landfill mowing to include Thomas Avenue Landfill and Pine Barren waste water treatment facility	Public Works	Myers and Son	\$4,950 annually	<ul style="list-style-type: none"> •Solid Waste - Restricted •Water and Sewer

As to Items 6-A through 6-I:

Commissioner Odell moved to approve Items 6-A through 6-I. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

As to Item 6-J:

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, thank you, Mr. Chairman. I brought this up because last year I see that this is to approve money for the mowing of Thomas Avenue, and it seems to me last year that, Commissioner Farrell, you brought it before the Board for Bethesda to go out and mow that to use for hay, and I'm wondering if that option is still on the table.

Mr. Robert Drewry said, good afternoon. Robert Drewry, Public Works and Park Services. Yes, I'd like to clarify that. We still continue to use Bethesda to mow the top of the landfill and harvest the hay. This contract is for slopes and around the canal and some of those areas that they cannot reach.

Commissioner Stone said, okay. That's all I wanted to know. Thank you. Chairman Liakakis said, okay. Commissioner Stone said, and I will make the motion for approval for 6-J.

Chairman Liakakis asked, do we have a second? Commissioner Farrell said, second. Commissioner Holmes said, second. Chairman Liakakis said, let's go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

- a. Commissioner Odell moved to approve Items 6-A through 6-I. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]
- b. Commissioner Stone moved to approve Item 6-J. Commissioners Holmes and Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was 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. CONSIDERATION OF COMPREHENSIVE PLAN AMENDMENT RELATING TO ZONING REQUEST AT 1827 EAST MONTGOMERY CROSS ROAD (ITEM 2 BELOW).**ACTION OF THE BOARD:**

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

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**2. THE PETITIONER, STEVE HOUSH (AGENT FOR DEVON PATEL) IS REQUESTING REZONING FOR 1827 E. MONTGOMERY CROSS ROAD FROM A R-1/EO (ONE FAMILY RESIDENTIAL/ENVIRONMENTAL OVERLAY) TO A PUD-IS (PLANNED UNIT DEVELOPMENT-INSTITUTIONAL) ZONING CLASSIFICATION.
 MPC FILE NO. Z-070829-00018-1
 [DISTRICT 1.]**

ACTION OF THE BOARD:

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

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XII. SECOND READINGS

**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.]**

Commissioner Odell said, so moved. Commissioner Farrell said, second.

Commissioner Kicklighter asked, may I, before we vote please? Chairman Liakakis said, oh, yes. Commissioner Kicklighter said, okay. So, there's no one opposes this? [Pause.] Commissioner Kicklighter said, I'd just like to point something out here, and I'm going to remove any names from this as I refresh people's memory. If you really dive into this request here —. I want to ask a couple of questions first. If you will, state your name for the record.

Mr. Gary Plumbley said, Gary Plumbley with the Metropolitan Planning Commission.

Commissioner Kicklighter said, thank you, sir. I've got a few questions and then I have a few statements, and I now we have something coming up at 12:00, but this is important. Okay, the request here is to go from an R-2 zone to a PUD-IS-B/TC zone. My question: Does the requested zone allow more uses than a basic PB-1 zone? Mr. Plumbley said, yes sir, it does. Commissioner Kicklighter asked, allows more? Additional uses over just a Planned Business zone, which is Planned Business Limited? Mr. Plumbley said, the requested zone classification allows more than the current R-2-A zoning classification. Commissioner Kicklighter said, right. Now I know that, but then I know we also have a Planned Business Limited zone. Mr. Plumbley said, no, it would not. The Planned Business Limited would actually allow more intensive uses than what is being requested in the —. Commissioner Kicklighter asked, it does allow more? Mr. Plumbley said, yes. Commissioner Kicklighter said, okay, if you're looking at this on here, I understand what a PUD is, Planned Unit Development, the B is Business, I understand that TC is Town Center. What does the IS actually stand for? Mr. Plumbley said, Institutional and the B part of it actually means it's just PUD Institutional less than three acres in size. Commissioner Kicklighter said, okay. What is actually allowed in a TC zone, a Town Center zone. Mr. Plumbley said, that's really an overlay district. That just stands for Town Center. It allows for a relaxation, if you will, of certain things like green space. It doesn't have as much green space as the traditional environmental overlay district because it recognizes a concentration of the hub of a certain jurisdictional area and recognizes that this is in a Town Center classification does in fact — did in fact influence not only staff's decision and recommendation to the Planning Commission, but the ultimate recommendation by the Planning Commission to this

Board that it would be appropriate for you to change the zoning classification. Commissioner Kicklighter said, okay. Well, if you're looking at your use for permitted uses which I pulled off the web this morning, which category would this actually fall under? B, B-1, B-2, B-C, of permitted uses? There is no use on here that's PUD-IS-B/TC, so which businesses would technically be allowed, which uses, under which category? Mr. Plumbley said, they're not under that category. You would have to go to the actual PUD-IS definition — not definition but list of uses itself. I believe there's a general classification of one through five as well as other businesses approved by the Metropolitan Planning Commission and the Chatham County Commissioners. This is primarily a transitional type zoning district that allows, I guess, the more prevalent use in the PUD-IS and IS-B zoning classifications would be the professional office designation. It is not what you would call a retail type zoning classification. Like I said, it is more of a transitional nature from residential to non-residential, and being in the TC classification we think in fact supports this request to change it from R-2-A to PUD-IS-B. Commissioner Kicklighter said, okay, because in reading the paperwork that was submitted to us from the MPC, I see here that somehow y'all — the MPC — has justified straying away from the comprehensive plan because it is within an overlay district and I'll note that the overlay district was created two years after the comprehensive plan was approved.

Commissioner Kicklighter said, in 2001 we approved the comprehensive plan. In 2003 this goodness this Board realized that, you know, you can always improve a plan, so we created an overlay district, and that's where this TC overlay came in, but in the wording of policy analysis it says, "The proposed rezoning is not wholly consistent with the adopted Comprehensive Plan." Mr. Plumbley said, that is true. Commissioner Kicklighter said, I'm not an attorney, but that means it does not comply with the comprehensive plan. Mr. Plumbley said, you're absolutely correct. Staff did take the liberty of making the further finding that because it is in a Town Center overlay district that the Town Center overlay district is recognized by the Islands Land Use Plan as well as the future Southeast Chatham County land use plan to encourage and recommend non-residential uses of a non-evasive nature to actually expand into the TC areas. And it's because of that and its location and proximity to non-residential uses on Johnny Mercer Boulevard at this location, the staff did in fact feel that this was an appropriate request.

Commissioner Kicklighter said, take one of these and pass it down and we'll get you one out there. I pointed this out and a little map I just wanted y'all to have there. And there should be a couple extra. What we have off of SAGIS is basically a map for us to see, rather than the ones that was in our packet, which just tells us there is no residential around. Before I get to this I want to refresh everyone's memory of the last meeting when one of the citizens of the Southside requested a rezoning of a parcel, and please bear with me for just a minute. The petitioner was Gregory Dean Elmgren. He requested that a property on Quacco Road be changed from an R-1 to a Planned Business Limited. Basically, and I'm going to remove any names as far as Commissioners, but I asked the question whether or not the final approval would have to come in front of the MPC if it were rezoned. In other words, if this piece of property would have been rezoned, if any change or anything that were to go on there would have to go to the MPC and Mr. Hansen said yes it would have to come to the MPC. One person up here asked to allow it. What you're saying now is that the MPC they've gone. That study that the MPC has done. Mr. Hansen said, correct. As you will recall, certainly the development of the joint City-County Comprehensive Plan was several years in the making. Recently by both the City and this body. One of the Commissioners said to the Chairman, he said that's my concern in reading some of the uses. Well, there are several concerns, and I'm skipping, but some of the uses that we'll be talking about under the proposed zoning. We went on to say those are not uses I would want in my neighborhood. This clearly abuts a residential area and that concerns me. I asked, "May I ask," and I said planned business restricted. Is it fair to say that most restrictive commercial — is it the most restrictive commercial district that we have, and basically, you know, I didn't get a real good answer on that one. It was kind of — went all around it. Mr. Hansen said, today on this or any particular rezoning request then the uses that are allowed within the 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 landscape company or whatever it is, any other uses, and you have those uses listed in your staff report before you, would be allowed by right within that district. So, I said I asked a particular question: "Would you consider the zoning one of the most restrictive zones the County has to offer?" and Mr. Hansen then answered yes. I said there's no large residential area abutting up to the property, it's all vacant property behind it. One of the Commissioners up here stated, "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 the sheet can in fact go there, correct?" And Mr. Hansen said yes, and I'll leave off there. The Commissioner said that's what I thought. Thank you. Another Commissioner expressed concern and said, you know, basically that if a business went in and then it shut down, instead of what it was approved for for 20 or 30 parking spaces, which is what's required for that business, suddenly needing 900 parking spots for a restaurant or something like that. Another one went on to say it seems that it all stems from the desire to have a nonconforming use in a single family zone. The remedies that are proposed 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 the zoning change and were sold to somebody else, then any sort of uses or sort of Pandora's box would open to the buyers.

Commissioner Kicklighter said, another Commissioner then asked me the question, he said would you be favorable to include in that motion, or it probably doesn't need to be included, to input from the citizens of that area. I said yes. That Commissioner 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 next door, and that could happen and that's what I want to be very careful of is the way the ordinances are now. The use approval stays with the means of the property and I want to be very careful so, you know, I mean the zoning stays with the property. The attorney got up for the petitioner at that point, Mr. Gotwalt, and he said I think the comments that a Commissioner made about the uses that are permitted shows what has happened to your ordinances over the years. The past Commissioners have allowed things like private wastewater treatment plants in these more intensive developments to be added to the permitted uses in a 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. That Commissioner said that's the point.

Commissioner Kicklighter said, another Commissioner made a good point. He said but to respond to your comment about people in the area, well the fact of the matter of is I doubt the 62 residents of the immediate area in those trailer homes were contacted and had any input whatsoever. Another Commissioner said, "I just want to make one question. You made a very valid point. That's why in 2001 when the MPC embarked—" and I'm changing a few things there, "—on the effort to update our land use plan and all of our zoning ordinances because we've 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 effect on the surrounding property owners and their property values." Basically at that point, I went on to just argue the point that the comprehensive plan is that all to itself, nothing but a plan and a guide to go on and that over time you may see ways to improve on it. I suggested seeing that we were going to — I was going to lose this zone change at that point, I suggested that the MPC take a look at the entire corridor on Quacco because it's definitely going to be four lanes before long with the traffic and everything in the area and it's the appropriate thing to do. And over and over and over I heard how we can't stray from the plan, how hard the work was, that the plan is in place and we can't stray from it, and I find it — I'm going to just stay away from that. I just wanted to point that out to this Commission that what's good for one needs to be good for all districts. What's good for one person needs to be good for other people. That's why I encouraged then that you look at every specific request individually and use your knowledge and education from everything you can gather to approve. If you will look at the map that I printed out, the highlighted areas are the areas that's requested. Directly abutting you have R-1 properties. Right behind them, literally touching them. Over to the left, 21,43 acres is about it appears to be 1.60 feet away, which is the West Wind Apartments, do you have any idea how many apartments are on that side. Mr. Plumbley asked, in West Wind? Commissioner Kicklighter said, yes sir. Mr. Plumbley said probably in the neighborhood of 250, 260. Commissioner Kicklighter said, 250 or 260. Wow, I'd say that's a lot more residents than the 60 in the mobile home park near the one that was denied. Were these people individually notified? Every apartment, every single apartment owner notified by letter? Mr. Plumbley indicated no. Commissioner Kicklighter said, no. Okay. Mr. Plumbley said, if they were in 200 feet the owner of the apartment complex was notified, yes sir. Commissioner Kicklighter asked, the owner of the apartment complex? So one of the 250 people received the letter, which I — sir, I'm not — this is not reflecting on you. That's the policy and we can't do that. Just point being made. When we're up here nitpicking certain areas, understand that I truly believe that this is Pat Farrell's district and if Pat Farrell knows that district better than I do and if Pat Farrell is going to support it, I'm going to stand behind Pat Farrell because Pat Farrell is going to be the one voted out of office when he doesn't do what his people wants to be done. So I finally try to do for my people and I think I have a little higher knowledge of what my people and my needs of my district is over everyone else like I believe all of you do up here, and I support this because it's the right thing to do. There's nothing wrong with changing this. It's logical, but every single argument that everyone that argued threw up and denied that young family on their rezoning request, it's — it would be hard for me to sleep at nights. So, I'll — unless anybody has a comment we can just vote.

Chairman Liakakis asked, any more discussion? Okay.

Commissioner Stone said, I have a real quick question for Mr. Plumbley. The difference between the environmental —, excuse me, the overlay district and what was proposed last time, obviously the MPC approved this unanimously whereas before they unanimously agreed not to approve it. Can you tell me the difference, because I'm concerned with some of the points that Commissioner Kicklighter has brought up, some of the differences with the overlay abutting the residential? Mr. Plumbley said, which one are you referring to, Ms. Stone, are you talking — are you asking me to respond to the petition on Quacco Road? Commissioner Stone said, I'm asking on this petition, the overlay district. The recommendation here is for approval with this particular overlay district. Can you tell me on —. Mr. Plumbley said, the overlay district of the Town Center, that's been placed since 2001. Commissioner Stone said, okay.

Commissioner Kicklighter said, it's 2000 and what? Commissioner Stone said, 1. Mr. Plumbley said, 2001. Commissioner Kicklighter said, 2003 was when that was added, wasn't it? Mr. Plumbley said, 2003 is when the Islands Comprehensive Plan, which was approved in 2001, was incorporated into the Southeast Chatham County Land Use Plan to include that. So initially in 2001 and more recently in June of 2003 is when the TC and the environmental overlay district was created.

Commissioner Stone asked, and the staff's recommendation was what — for approval on this? Mr. Plumbley said, yes ma'am. Commissioner Stone said, thank you.

Commissioner Kicklighter asked, can I ask one question off of that? Chairman Liakakis said, yes. Commissioner Kicklighter said, a couple actually. Does the MPC by vote tell us how we have to vote? I know that answer. Or is the MPC a recommending body to this elected board who appoints them? Mr. Plumbley said, that is correct. Commissioner Kicklighter said, a recommending body. Mr. Plumbley said, yes sir. Commissioner Kicklighter said, okay. By stating that in 2001 whatever plan was out there and something in 2003, was the original plan altered or improved in your opinion? Mr. Plumbley said, I do not believe it was altered, no sir. There was an attempt to make a change to the Islands Land Use Plan adopted in 2001. After much discussion from some of the residents of Wilmington Island, the Southeast Chatham Land Use Plan was amended to keep intact those things that were unique to Wilmington, Oatland, Talahi and Whitmarsh. Commissioner Kicklighter asked, so the Town Center overlay was originally in the —? Mr. Plumbley said, yes sir, it was. Commissioner Kicklighter said, okay. Well, I want to — and I promise you I'm through — but the proposed rezoning is not wholly consistent with the adopted Comprehensive Plan? Mr. Plumbley said, that is correct. Commissioner Kicklighter said, okay. That's the opinion of the MPC and wrote down as I'm reading it? Mr. Plumbley said, yes sir. Commissioner Kicklighter said, that means it's not in total compliance with the plan. Mr. Plumbley said, that is correct, sir. Commissioner Kicklighter said, thank you, sir.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, I'd like clarification. You know, I understood perfectly well and don't regret my vote last week, but this one's a little fuzzy. Why would we not approve the one last week but we would go ahead and approve the one this week and why would the MPC disapprove the one last week but approve the one this week? What is the difference? Nobody's told me that. Chairman Liakakis asked, would you respond to that? Commissioner Gellatly said, just a quick one. Mr. Plumbley said, I believe Commissioner Kicklighter said that he thought that each particular petition was unique to that site only. I believe that was your words, Mr. Kicklighter. Commissioner Kicklighter said, yes. Mr. Plumbley said, and I believe for that reason is why you had one recommended for approval and one recommended for denial. I do not see necessarily the similarities in this petition versus the one on Quacco Road. I see totally different sets of circumstances for each one. I'm not going to sit here and debate the merits of a case that's past been decided. It was recommended by staff that Quacco Road should not be approved and was recommended to this body by the full Planning Commission and I think there are some stark differences in the two cases.

Chairman Liakakis asked, but what you're saying then, there is a difference between this one, so that we get clarification, this one and the one on Quacco? Mr. Plumbley said, yes sir, that is what I'm stating, yes sir. Commissioner Kicklighter said, yeah, they voted no against one and yeah on the other. There's more commercial surrounding this one than the other.

Commissioner Odell said, I think the question is what's the difference. I plan to vote in support of this. What's the difference? Mr. Plumbley said, one is a continuation of an existing PUD-IS zone —.

Chairman Liakakis said, wait a minute. I want you to start over. Commissioner Gellatly was asking that question. Dave [Gellatly], I'm asking him to start over again because that question you asked he's going to answer it now. Go ahead please.

Mr. Plumbley said, one is a continuation of a PUD-IS-B zoning classification to an easterly direction along Johnny Mercer Boulevard. It would not create a situation of spot zoning. It would allow for the introduction of non-residential uses that very much are predominant in the area on the opposite side of Johnny Mercer Boulevard. It will not create uses which would be very undesirable to residential uses. It requires substantial buffering. There were meetings conducted. We met with the petitioner on more than one occasion. We support what he is planning to do in terms of fitting into the community in which it would be located; whereas on Quacco Road you had a situation where you were taking an isolated parcel of land. It is separated totally from any commercial classification, and you were establishing it as a spot zone to allow — and I'm not getting to the uses which the petitioner wanted to use that.

Commissioner Kicklighter asked, but was there a gas station and a boat sales place on the same side of the street one lot or two lots over? Mr. Plumbley said, it's quite a difference, Mr. Kicklighter. I mean, it's quite a distance away. Commissioner Kicklighter said, no sir, no sir, no sir.

Chairman Liakakis said, well, let him finish over there with that.

Commissioner Kicklighter said, but, Mr. Chairman, let me state that I support this request. This is a very logical request. That's a busy roadway. It makes complete sense to take it and allow it to go a nice commercial. My point being simply, have an open mind when it comes to other people's zones. I'm — you know, just —.

Chairman Liakakis said, Dean [Kicklighter], let me just respond to that quickly because everybody on the Commission has their own views on things, but what was stated is that this is different from what was on Quacco Road and the way it's set up, see.

Commissioner Kicklighter said, and if that makes you sleep better at night, Mr. Chairman, so be it, but the fact is that this strays from the Comprehensive Plan, which was the basis of unanimous me not even be able to get a second for approval and I thought that was ridiculous because I stated then that a plan is nothing but a plan and you alter it. If you see the way to improve something you do it. That's how old politicians get voted out of office is because new ones come through and they don't like the word that's the way it's always been. Who cares how it's always been if you've got a way to do it better? And these people here will improve that area. The people over requesting in my district would have improved the area that will soon be a four-lane major roadway. I see no problem passing this. It's very logical, but the truth of the matter is both stray from the plan and, you know, I encourage everyone to vote for this in fact, but more people live around this particular area, I would venture to think, than remotely would live around the part on Quacco when we were talking all those issues, but I do ask you to vote for this. It's very logical. The people will do a nice job improving the area and, again, just remember in the future when someone wants some nice commercial zoning on a major roadway, that's pretty logical no matter what your plan says because I surely wouldn't want to live residentially on a major roadway. I wouldn't want my little child running around in a yard on a major roadway. So by keeping it residential, you have stripped the owners of their highest and best use, the most basic right for any property owner in this country. So allowing this gives this property owner the highest and best use and will not harm the area, just like before, and I just ask everyone remember that in the future and let's please just go ahead and approve this and move on.

Chairman Liakakis said, let's move — we have a motion on the floor and a second. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the petition of Harold Yellin (Agent for M. C. Nettles, et.al.) requesting rezoning for the property located at Johnny Mercer Boulevard from an R-2-A/TC classification to a PUD-IS-B/TC classification. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: XII-1
AGENDA DATE: October 19, 2007

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

LEGAL NOTICE/AGENDA HEADING:

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

ISSUE:

At issue is a requested rezoning of approximately .65 acres of land located at the northeast corner of Penn Waller Road and Johnny Mercer Boulevard from the existing R-2-A/TC (Two-Family Residential-Limited/Town Center Overlay) classification to a PUD-IS-B/TC (Planned Unit Development-Institutional/Town Center Overlay) classification.

BACKGROUND:

The subject property is located on the north side of Johnny Mercer Boulevard near the intersection of Penn Waller Road. The subject property was rezoned from R-2 (Two-Family Residential) to R-2-A in January, 1987. The adjoining property to the west was rezoned from an R-2-A/TC classification to a PUD-IS-B/TC* classification in May, 2005. The bank property and shopping center to the west of the PUD-IS-B/TC* parcel were rezoned from PUD-M-10 (Planned Unit Development-Multifamily, 10 units per acre) to P-I-P (Planned Institutional-Professional) in July, 1985. The single-family subdivision to the north was rezoned from R-1 (One-Family Residential, 5 units per acre) to R-1-A (One-Family Residential, 3.5 units per acre) at the same time the Town Center (TC) and Environmental Overlay (EO) districts were added to properties in the community as part of the Islands Community Plan in June, 2001.

FACTS AND FINDINGS:

1. **Public Notification:** As required, notification of the proposed rezoning was sent to all property owners within a 200 foot radius of the subject parcels. A neighborhood information meeting was held on August 29, 2007. The owner's agent and representatives from the MPC staff were present to answer questions.
2. **Existing Development Pattern:** The property is located on the eastern edge of the Town Center Overlay district, a predominantly commercial area. South of Johnny Mercer Boulevard is retail stores, and a church. To the west is a vacant office parcel and a bank. Residential development lies to the north. The land uses and zoning districts surrounding the subject property include:

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Single-Family Residential	R-1-A/EO [1]
East	Single-Family Residential	R-2-A/TC
South	Church, Commercial	R-2-A/TC and P-D-N/TC [2]
West	Vacant	PUD-IS-B/TC

[1] One-Family Residential/Town Center Overlay
[2] Planned Development Rezoning for Non-Conforming Uses

3. **Land Use Element:** Both the Islands Future Land Use Map and the Chatham County Comprehensive Plan designate the subject properties as Single-Family Residential.
4. **Transportation Network:** The property can be accessed from Johnny Mercer Boulevard which is classified as a major arterial street. In 2006, the average daily traffic count for this section of Johnny Mercer Boulevard was 9,900 vehicles per day.
5. **Public Services and Facilities:** The property is served by the Metropolitan Police Department and by Southside Fire. Water and sewer service will be provided by public utilities. Transit service is available along Johnny Mercer Boulevard.
6. **Existing R-2-A/TC Zoning District:**
 - a. **Intent of the R-2-A/TC District:** According to the Zoning Ordinance, the purpose of the R-2-A/TC district is to "...create an environment in which only one- and two-family dwellings and certain non-dwelling uses are permitted in order to promote the stability and character of medium density residential development with functional open space. A maximum density of 12 dwelling units per acre of net residential land area shall be permitted in this district." The purpose of the TC Overlay district is to "...provide for orderly commercial and residential development in two centralized hubs in the Islands Community".
 - b. **Allowed Uses:** The uses allowed in the R-2-A/TC district appear in the attached chart.
 - c. **Development Standards:** The development standards for the R-2-A/TC district appear in the attached table (Table 1).
7. **Proposed PUD-IS-B/TC Zoning District:**
 - a. **Intent of the PUD-IS-B/TC District:** According to the Zoning Ordinance, the definition of the PUD-IS-B district is "Any institutional, professional or office development consisting of less than three acres." The purpose of the TC Overlay district is to "...provide for orderly commercial and residential development in two centralized hubs in the Islands Community".
 - b. **Allowed Uses:** The uses allowed in the PUD-IS-B/TC district appear in the attached chart.
 - c. **Development Standards:** The development standards for the PUD-IS-B/TC district appear in the attached table (Table 1).
8. In 2001, work was completed on the development of the Islands Area Community Plan. The Plan specified a set of land use goals, objectives and strategies that included a goal to "...limit all future commercial development to existing commercially zoned areas or to planned town centers." The stated objective was to "...employ land use policies and performance standards to attract new commercial development into existing town centers and adjacent expansion areas, while making these areas more vital and attractive."

On April 11, 2003, the Chatham County Commission adopted the Southeast Chatham County Community Plan which included amendments to the Zoning Ordinance designed in part to implement the recommendations of the Islands Area Community Plan. Section 4-13 of the Ordinance lists specific development standards applicable to projects established in the Town Center Overlay district. These standards, which are typically more restrictive than those found solely in the underlying zoning classification. The result is more protection afforded nearby and adjacent uses.
9. The PUD-IS-B zoning classification is often considered a transition zone from more intensive uses allowed in straight commercial or industrial zones. Allowed uses are limited and generally fall into four broad categories: cultural facilities; office health services; health service clinics; and general offices. An amendment to the use table for the district is currently being considered and if approved, would also allow residential uses singularly and in a mixed use configuration.
10. Because the properties in question are currently zoned with the TC overlay and because the Islands Area Community Plan acknowledges the possible expansion of limited commercial uses into such areas, the request is appropriate. It should be

noted, however, that rezoning requests for other properties not covered by the overlay will not be supported as stated in the Islands Plan.

SUMMARY OF FINDINGS

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

ALTERNATIVES:

1. Approve the petitioner's request to rezone the property from an R-2-A/TC classification to a PUD-IS-B/TC classification.
2. Deny the petitioner's request.

POLICY ANALYSIS:

The proposed rezoning is not wholly consistent with the adopted Comprehensive Plan. It is noted, however, that the properties in question are currently covered by the Town Center overlay (TC), and that the Islands Area Community Plan does acknowledge and support expansion of limited commercial uses into such areas. That fact, coupled with the site location at the intersection of Johnny Mercer Boulevard and Penn Waller Road, two designated arterial roadways, supports the rezoning request. It is noted that whereas this rezoning request reaches the current limits of the TC overlay, no further expansion of commercial uses in an easterly direction along Johnny Mercer Boulevard will be supported.

RECOMMENDATION: The MPC and Director of Building Safety and Regulatory Services recommend APPROVAL of the request to rezone the subject property from the existing R-2-A/TC classification to a PUD-IS-B/TC classification.

PREPARED BY: Jim Hansen, AICP, Director
Development Services

September 4, 2007

Gregori Anderson, Director
BUILDING SAFETY AND REGULATORY SERVICES

Table 1: Comparison of Development Standards for the Existing R-2-A/TC and Proposed PUD-IS-B/TC Zoning Districts		
	R-2-ATC District	PUD-IS-B/TC District
Minimum Lot Area	12,000 square feet	N/A
Minimum Lot Width	60 feet	N/A
Front Yard Setback	85 feet from the centerline of the right-of-way and 20 feet from the right-of-way	35 foot development setback from the right-of-way
Minimum Side Yard Setback	15 feet	N/A
Maximum Rear Yard Setback	30 feet	N/A
Maximum Height	35 feet	N/A 3 feet in the Town Center Overlay
Maximum Building Coverage	40 percent	N/A
Maximum Density	12 units per net acre	N/A

DATE: SEPTEMBER 4, 2007
TO: CHATHAM COUNTY COMMISSION
FROM: METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC ZONING RECOMMENDATION

PETITION REFERENCED:
M.C. Nettles et. al., Owner
Harold Yellin, Agent
MPC File No. Z-070802-31348-1

MPC ACTION: Approval of the request to rezone the subject property from the R-M-H classification to a P-B-C classification.

MPC STAFF RECOMMENDATION: Approval of the request to rezone the subject property from the R-M-H classification to a P-B-C classification.

MEMBERS PRESENT: 9 + Chairman

Stephen R. Lufburrow, Chairman	Robert Ray, Vice-Chairman
Jon Todd, Secretary	Susan Myers, Treasurer
Shedrick Coleman	Douglas Bean
Adam Ragsdale	Lacy Manigault
David Hoover	Ben Farmer

VOTING FOR MOTION

Stephen Lufburrow None
Robert Ray
Jon Todd
Douglas Bean
Shedrick Coleman
Ben Farmer
David Hoover
Lacy Manigault

VOTING AGAINST MOTION

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

*Michael Brown
* Russ Abolt
*Timothy Mackey
*Freddie Gilyard

FOR APPROVAL: 10

FOR DENIAL: 0

ABSTAINING: 0

Respectfully submitted,

/s/

Thomas L. Thomson
Executive Director

/cbm

Enclosure

MPC File No. Z-070802-31348-1

MPC recommends that the following described property be rezoned from its present R-2-A/TC (Two-Family Residential-Limited/Town Center Overlay) classification to a PUD-IS-B/TC (Planned Unit Development-Institutional/Town Center Overlay) zoning classification.

LEGAL DESCRIPTION

Beginning at a point located on the centerline of Johnny Mercer Blvd, approximately 123 feet east of its intersection with the centerline of Penn Waller Road, thence proceeding northeasterly along the centerline of Johnny Mercer Blvd, a distance of approximately 490 feet to a point, thence northerly along a line North 22 degrees 55 minutes 29 seconds West a distance of approximately 191 feet to a point, thence southwesterly along a line parallel to the centerline of Johnny Mercer Blvd. a distance of approximately 21 feet to a point, thence along a line South 33 degrees 30 minutes 12 seconds East a distance of approximately 30 feet to a point, thence in a westerly direction along a line parallel to the centerline of Johnny Mercer Blvd. a distance of approximately 50 feet to a point, thence along a line North 29 degrees 06 minutes 12 seconds West a distance of approximately 30 feet to a point, thence in a southwesterly direction along a line parallel to the centerline of Johnny Mercer Blvd. a distance of approximately 426 feet to a point, thence southeasterly along a line South 24 degrees 51 minutes 01 seconds East back to the point of beginning.

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

P.I.N. 1-0059 -01-003, 003A, 003B, 043

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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.]

Chairman Liakakis said, we're going to have to have a — we're a meeting with our Legislators. The next two items, I'm sorry, but we'll have to —.

Commissioner Kicklighter said, Mr. Chairman, can we ask — he's been here the whole time. If there's no one going to oppose this, can we go ahead and approve them?

Chairman Liakakis said, the petitioner — okay. Chairman Liakakis read Item 2 into the record.

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

Commissioner Kicklighter said, Mr. Chairman, I'll make a motion to approve and after a second hopefully I will ask if anyone opposes in the audience. Chairman Liakakis asked, do we have a second? Commissioner Stone said, second.

Chairman Liakakis said, all right. We have a motion on the floor and a second. Do we have anybody in the audience to oppose this particular petition? [No response.] Chairman Liakakis said, let's go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the petition of Hal Kraft (Agent for Blanchard and Calhoun Commercial) 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). Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: XII-2

AGENDA DATE: October 19, 2007

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

LEGAL NOTICE/AGENDA HEADING:

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

ISSUE:

Rezoning from A-T (Tourist – Agriculture), P-B-C (Planned - Community - Business), and R-A (Residential - Agriculture) classifications to a P-R-3-18 (Planned Residential Multi-Family Residential – 18 units per net acre) 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 24.3 acres in size and is located on the west side of Ogeechee Road approximately 350 feet south of Burton Road. The site is presently occupied by a residential structure, 2 mobile homes, and several accessory structures. All structures will be removed prior to the development of this site.
3. The petitioner requests that the site be rezoned to a P-R-3-18 zoning classification in order to develop a multi-family residential apartment complex. The adjacent land uses and zoning districts surrounding the subject property include:

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Mobile Home Park	R-M-H-1 [1]
South	Salt Marsh/Salt Creek Vacant Land	R-A R-A
East	Ogeechee Road Salt Marsh/Salt Creek Vacant Land	A-T R-A R-A
West	Mobile Home Park Vacant Land	R-M-H-1 R-A

[1] R-M-H-1 – Residential Manufactured/Mobile Home Park

4. **Zoning History/Existing Development Pattern:** The subject site has been zoned R-A, A-T, and P-B-C for over 20 years with the exception of the portion of the site that is zoned P-B-C. This

portion of the site was rezoned to its present P-B-C classification on September 23, 1988 (MPC File Number 88-8714-C). There have been no zoning changes in the immediate area within the last 25 years with the exception of property located on the south side of Quacco Road approximately 3,350 feet west of Ogeechee Road which was rezoned to its current P-D-R-SM classification on October 24, 1986 (MPC File Number 86-7706-C).

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

- a. **Intent of the R-A District:** According to the Zoning Ordinance, the purpose of the R-A district is to “protect those rural areas within the urban expansion areas of the county for future urban development, and to protect certain rural highway roadside areas against strip development which can lead to traffic congestion, traffic hazards, and roadside blight.”
- b. **Allowed Uses:** The uses allowed within the R-A district appear in the attached chart.
- c. **Development Standards:** The development standards for the R-A district appear in the attached table (Table 1).

Existing A-T Zoning District

- a. **Intent of the A-T District:** According to the Zoning Ordinance, the purpose of the A-T district is to “designate and protect certain roadside areas in which roadside service commercial facilities catering to tourists, one and two-family dwellings, agricultural activities of all types, and other appropriate uses in keeping with the existing or intended character of such areas will be permitted.”
- b. **Allowed Uses:** The uses allowed within the A-T district include but are not limited to: single-family residences, duplexes, cemeteries, religious institutions, kindergartens, various recreational facilities, lodging, restaurants, grocery stores, personal service shops, self-storage mini-warehouses, and vehicle / trailer sales.
- c. **Development Standards:** The development standards for the R-A district appear in the attached table (Table 1).

Existing P-B-C Zoning District

- a. **Intent of the P-B-C District:** According to the Zoning Ordinance, the purpose of the B-C district is to “...provide community shopping facilities at locations that will be accessible to a market area containing from 35,000 to 75,000 people.”
- b. **Allowed Uses:** The Uses allowed within the B-C district include: rooming homes, religious institutions, cultural facilities, clubs and lodges, private sewage treatment facilities, plant nurseries, religious institutions, hotels and motels, various restaurants, specialty shops, truck stops, cocktail lounges and nightclubs, adult entertainment establishments, personal service shops, offices, funeral parlors, transmission towers not greater than 100 feet, vehicle and boat sales, vehicle and boat repair, manufactured home sales, truck terminals, principal use storage yards, wholesaling and warehousing, and commercial seafood processing and packaging.
- c. **Development Standards:** The development standards for the P-B-C district appear in the attached table (Table 1).

6. **Proposed P-R-3-18 Zoning District:**

Intent of the P-R-3-18 District: The R-3 district is intended to “create an area in which one-family, two-family, multi-family and certain non residential uses are permitted in order to help ensure a healthful living environment and functional open space in multi-family areas.”

- a. The “P” prefix indicates a “Planned District” designation that requires MPC review and approval of a site plan. The intent of the Planned District is to “promote an environment of stable and desirable character in harmony with the established or proposed land use pattern in the surrounding area.”

The “18” designation indicates a maximum density of 18 units per net acre of residential land.

- b. **Allowed Uses:** The uses allowed within the R-3 district appear in the attached chart.
- c. **Development Standards:** The development standards for the R-3 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 an amenity community. Approval of the zoning map amendment would be consistent with the Future Land Use Map.
8. **Transportation Network:** The property is accessed from Ogeechee Road, a four lane public road. According to the Street Classification Map, Ogeechee Road is classified as a major arterial roadway. The 2004 average daily traffic count for Ogeechee Road at this location was 73,100 vehicles.
9. **Public Services and Facilities:** The site is served by Metropolitan police, City fire protection and by Consolidated Utilities Corporation water and sanitary sewer. The subject site is also served by the Chatham Area Transit Authority. The nearest bus stop is located at the intersection of Ogeechee Road and Quacco Road.

SUMMARY OF FINDINGS

1. Will the proposed zoning district permit uses that would create traffic volumes, noise level, odor, airborne particulate matter, visual blight, reduce light or increased density of development that would adversely impact the livability or quality of life in the surrounding neighborhood?

Yes ___ No X

2. Will the proposed zoning district permit uses that would adversely impact adjacent and nearby properties by rendering such properties less desirable and therefore less marketable for the type of development permitted under the current zoning?

Yes ___ No X

3. Will the proposed zoning district permit uses that would generate a type or mix of vehicular traffic on a street or highway that is incompatible with the type of land use development along such street or highway?

Yes ___ No X

4. Will the proposed zoning district permit uses that would generate greater traffic volumes at vehicular access points and cross streets than is generated by uses permitted under the current zoning district to the detriment of maintaining acceptable or current volume capacity (V/C) ratio for the streets that provide vehicular access to the proposed zoning district and adjacent and nearby properties?

Yes ___ No X

5. Will the proposed zoning district permit uses or scale of development that would require a greater level of public services such as drainage facilities, utilities, or safety services above that required for uses permitted under the current zoning district such that the provision of these services will create financial burden to the public?

Yes ___ No X

6. Will the proposed zoning district permit uses or scale of development that would adversely impact the improvement or development of adjacent and nearby properties in accordance with existing zoning regulations and development controls deemed necessary to maintain the stability and livability of the surrounding neighborhood?

Yes ___ No X

7. Will the proposed zoning district permit development that is inconsistent with the comprehensive land use plan?

Yes ___ No X

ALTERNATIVES:

1. Approve the petitioner's request to rezone the property from R-A, AT, and P-B-C classifications to a P-R-3-18 classification.
2. Deny the petitioner's request.

POLICY ANALYSIS:

The proposed rezoning is consistent with Chatham County's Future Land Use Plan. The proposed P-R-3-18 classification would provide multi-family housing opportunities for this area of Chatham County and would not adversely impact properties within the general area.

RECOMMENDATION: The MPC and Director of Building Safety and Regulatory Services recommended **Approval to rezone the property from an R-A (Residential – Agriculture) classification to a P-R-3-18 (Planned Residential Multi-Family Residential – 18 units per net acre)**

**PREPARED BY: Jim Hansen, AICP, Director
Development Services**

September 4, 2007

**Gregori Anderson, Director
BUILDING SAFETY AND REGULATORY SERVICES**

Table 1: Comparison of Development Standards for the Existing A-T, R-A, and P-B-C Zoning Districts and the Proposed P-R-3-18 Zoning District

	A-T District	R-A District	P-B-C	P-R-3-18
Minimum Lot Area	6,000 S.F. n/a non-residential	6,000 S.F.	n/a	1,800 S.F.
Minimum Lot Width	60 feet n/a non-residential	60 feet	n/a	18 feet
Front Yard Setback	85 feet from the centerline of an arterial roadway but not less than 20 feet	85 feet from the centerline of an arterial roadway but not less than 25 feet	85 feet from the centerline of an arterial roadway but not less than 20 feet	85 feet from the centerline of an arterial roadway but not less than 25 feet
Minimum Side Yard Setback	15 feet	5 feet	0 or 10 feet if adjacent to an R district	5 feet
Minimum Rear Yard Setback	20 feet	25 feet	0 or 25 feet if adjacent to an R district 25 feet	25 feet
Maximum Height	36 feet	36 feet	n/a	36 feet
Maximum Building Coverage	n/a	None	40 percent	40 percent
Maximum Density	n/a	n/a	Five units per net acre	18 units per net acre

DATE:

TO: CHATHAM COUNTY COMMISSION

FROM: METROPOLITAN PLANNING COMMISSION

SUBJECT: MPC ZONING RECOMMENDATION

PETITION REFERENCED:

Hal Kraft, Agent
 Alton Simmons, Owner
 Blanchard and Calhoun Commercial, Petitioner
 5800 and 5806 Ogeechee Road
 MPC File No Z-070817-51764-1

MPC ACTION:

Approval to rezone the subject property from an R-A (Residential Agriculture) classification to a P-R-3-18 (Planned Residential Multi-Family Residential-18 units per net acre) classification.

MPC STAFF RECOMMENDATION:

Approval to rezone the subject property from an R-A (Residential Agriculture) classification to a P-R-3-18 (Planned Residential Multi-Family Residential-18 units per net acre) classification.

MEMBERS PRESENT: 9 + Chairman

Stephen R. Lufburrow, Chairman
Jon Todd, Secretary
Douglas Bean
Ben Farmer
Lacy Manigault

Robert Ray, Vice-Chairman
Susan Myers, Treasurer
Shedrick Coleman
David Hoover
Adam Ragsdale

VOTING FOR MOTION

Stephen Lufburrow
Robert Ray
Jon Todd
Susan Myers
Douglas Bean
Shedrick Coleman
Ben Farmer
David Hoover
Lacy Manigault
Adam Ragsdale

VOTING AGAINST MOTION

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

*Russ Abolt
*Michael Brown
*Freddie Gilyard
*Timothy Mackey

FOR APPROVAL: 10

FOR DENIAL: 0

ABSTAINING: 0

Respectfully submitted,

/s/

Thomas L. Thomson
Executive Director

/cbm
Enclosure

Hal Kraft, Agent
5800 & 5806 Ogeechee Road
MPC File No. Z-070817-51764-1

MPC recommends that the following described property be rezoned from its present R-A (Residential —Agriculture) zoning classification to a P-R-3-18 (Planned Residential Multi-Family Residential -18 units per net acre) zoning classification

LEGAL DESCRIPTION

Beginning on a point located at the intersection of the centerline of U S Highway 17, approximately 380 feet south of its intersection with the centerline of Burton Road. thence proceeding in a northerly direction along a line North 43 degrees 44 minutes 13 seconds West a distance of approximately 2162 feet to a point, thence southwesterly along a line South 31 degrees 47 minutes 22 seconds West a distance of approximately 948 feet to a point on the centerline of Little Ogeechee River, thence in a southerly direction along Little Ogeechee River for a distance of approximately 576 feet to a point, thence along a line South 39 degrees 54 minutes 18 seconds East for a distance of approximately 1805 feet to a point on the centerline of U S Highway 17, thence northerly along the centerline of U S Highway 17 back to the point of beginning.

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

P.I.N. 1-1006 -01-002, 003, 024

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- 3. **THE PETITIONER PHILLIP MCCORKLE (AGENT FOR EDWIN GARVIN) IS REQUESTING THE REZONING OF 5701 COTTONVALE ROAD FROM A B (BUSINESS) AND R-A (RESIDENTIAL AGRICULTURE) CLASSIFICATION TO A P-B-C (PLANNED COMMUNITY BUSINESS) CLASSIFICATION. THE MPC RECOMMENDS APPROVAL. MPC FILE NO. Z-070817-54183-1 [DISTRICT 7.]**

Chairman Liakakis asked, do we have a motion. Commissioner Kicklighter said, motion to approve. Chairman Liakakis asked, do we have a second? Commissioner Gellatly said, second.

Chairman Liakakis said, we have a motion on the floor and a second. Anybody in the audience would like to — might be against this. [No response.] Chairman Liakakis said, all right. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the petition of Phillip McCorkle (Agent for Edwin Garvin) requesting the rezoning of 5701 Cottonvale Road from a B (Business) and R-A (Residential-Agriculture) classification to a P-B-C (Planned Community Business) classification. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: ~~XI-3~~
AGENDA DATE: ~~October 5, 2007~~
AGENDA ITEM: XII-3
AGENDA DATE: October 19, 2007

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

LEGAL NOTICE/AGENDA HEADING:

The petitioner Phillip McCorkle (Agent for Edwin Garvin) is requesting the rezoning of 5701 Cottonvale Road from a B (Business) and R-A (Residential Agriculture) classification to a P-B-C (Planned Community Business) classification. The MPC recommends approval. MPC File No. Z-070817-54183-1

ISSUE:

At issue is a requested rezoning of approximately 2.15 acres of land located at the southeast corner of Highway 17 South and Cottonvale Road from the existing B (Business) and R-A (Residential-Agriculture) classifications to a P-B-C (Planned Community Business) classification.

BACKGROUND:

The subject tract consists of four separate parcels. A dilapidated single family residential structure is located on one of the parcels; rented mobile homes are located on the remaining parcels. Prior to development, the owner will complete a lot recombination in order to establish a unified parcel. The owner intends to develop a national chain drug store on the subject site.

FACTS AND FINDINGS:

1. **Public Notification:** As required, notification of the rezoning request was mailed to property owners within a 200 foot radius of the subject property. The property was also posted with a rezoning sign.
2. **Existing Development Pattern:**

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

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Commercial	B
East	Transmission Line Corridor and Single Family Residential	B and R-A
South	Vacant	R-A
West	Vacant and Commercial	PUD-C [1]

[1] Planned Unit Development-Community

3. **Transportation Network:** The property is accessed from Highway 17 South (Ogeechee Road), a designated major arterial roadway. The 2006 Average Daily Traffic count for Highway 17 was 16,050 vehicles between Quacco and Dean Forest Roads. Chatham Area Transit service is available on Highway 17 South.

4. **Public Services and Facilities:** The property is served by the Metropolitan Police Department, Southside Fire, and will receive public water and sewer service.
5. **Existing B Zoning District:**
 - a. **Intent of the B District:** According to the Zoning Ordinance, the purpose of the X district is to "...create and protect areas in which heavy commercial and certain industrial like activities are permitted".
 - b. **Allowed Uses:** The uses allowed within the B district appear in the attached chart.
 - c. **Development Standards:** The development standards for the B district appear in the attached table (Table 1).
6. **Existing R-A Zoning District:**
 - a. **Intent of the R-A District:** According to the Zoning Ordinance, the purpose of the R-A district is to "...protect those rural areas within the urban expansion areas of the county for future urban development, and to protect certain rural highway roadside areas against strip development ..."
 - b. **Allowed Uses:** The uses allowed within the R-A district appear in the attached chart.
 - c. **Development Standards:** The development standards for the R-A district appear in the attached table (Table 1)
7. **Proposed P-B-C District:**
 - a. **Intent of the P-B-C District:** According to the Zoning Ordinance, the intent of the P-B-C is to "...provide community shopping facilities consisting of a wide variety of sales and service facilities at locations that will be accessible to a market area containing from 35,000 to 70,000 people." The purpose of the "P" designation is to "...provide areas within which comprehensive development plans shall be prepared for review by the MPC..."
 - b. **Allowed Uses:** The uses allowed within the P-B-C district appear in the attached chart.
 - c. **Development Standards:** The development standards for the P-B-C district appear in the attached table (Table 1).
8. **Land Use Element:** The recently adopted Chatham County Comprehensive Plan Future Land Use Map designates the subject property as a combination of commercial and single family residential.
9. The subject property is located within the rapidly growing Highway 17 corridor between Quacco Road and Dean Forest Road. This area of the community has experienced significant growth and development recently exemplified by projects like the Berwick Master Planned Community and significant residential building east of Highway 17 along Cottonvale Road. Appropriately, planning efforts in the area recognize the need for community level shopping opportunities for existing and expected residents.
10. An electric power line easement adjoins the subject property at its eastern edge. This corridor provides a natural break for zoning districts and will provide additional separation between dissimilar uses.

SUMMARY OF FINDINGS

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

ALTERNATIVES:

1. Approve the petitioner's request to rezone the property from a B and R-A classification to a P-B-C classification.
2. Deny the petitioner's request.

POLICY ANALYSIS: The proposed rezoning is consistent with the Future Land Use Plan and will establish a district that is compatible with the existing and anticipated future growth and development in the area. The application of the "P" designation will require that appropriate reviews are conducted to assure corridor compatibility.

RECOMMENDATION: The MPC and Director of Building Safety and Regulatory Services recommend **APPROVAL** of the request to rezone the subject property from a B and R-A classification to a P-B-C classification.

PREPARED BY: Jim Hansen, AICP, Director
Development Services

September 4, 2007

Gregori Anderson, Director
BUILDING SAFETY AND REGULATORY SERVICES

Table 1: Comparison of Development Standards for the Existing B and R-A Districts and Proposed P-B-C Zoning Districts			
	B District	R-A District	P-B-C District
Minimum Lot Area	N/A	N/A (Non-residential)	N/A
Minimum Lot Width	N/A	N/A (Non-residential)	N/A
Front Yard Setback	85 feet from centerline of major arterial	85 feet from centerline of major arterial	85 feet from centerline of major arterial
Minimum Side Yard Setback	10 feet when abutting an "R" district, otherwise no requirement	15 feet	10 feet when abutting an "R" district, otherwise no requirement
Minimum Rear Yard Setback	30 feet when abutting an "R" district, otherwise no requirement	35 feet	30 feet when abutting an "R" district, otherwise no requirement
Maximum Height	N/A	36 feet	N/A
Maximum Building Coverage	N/A	40 percent	N/A



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: SEPTEMBER 4, 2007
TO: CHATHAM COUNTY COMMISSION
FROM: METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC ZONING RECOMMENDATION

PETITION REFERENCED:
 Phillip McCorkle, Agent
 Edward Garvin, Owner
 5701 Cottonvale Road
 MPC File No. Z-070817-54183-1

MPC ACTION: Approval of the request to rezone the subject property from a B (Business) and R-A (Residential Agriculture) classification to a P-B-C (Planned Community Business) classification.

MPC STAFF RECOMMENDATION:

Approval of the request to rezone the subject property from a B (Business) and R-A (Residential Agriculture) classification to a P-B-C (Planned Community Business) classification.

MEMBERS PRESENT: 9 + Chairman

Stephen R. Lufburrow, Chairman
Jon Todd, Secretary
Shedrick Coleman
Adam Ragsdale
David Hoover

Robert Ray, Vice-Chairman
Susan Myers, Treasurer
Douglas Bean
Lacy Manigault
Ben Farmer

VOTING FOR MOTION

VOTING AGAINST MOTION

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

Stephen Lufburrow
Robert Ray
Susan Myers
Jon Todd
Ben Farmer
Lacy Manigault
Douglas Bean
David Hoover
Shedrick Coleman
Adam Ragsdale

*Russ Abolt
*Michael Brown
*Freddie Gilyard
*Timothy Mackey

FOR APPROVAL: 10 **FOR DENIAL:** 0 **ABSTAINING:** 0

Respectfully submitted,

/s/

Thomas L. Thomson
Executive Director

/cbm
Enclosure

**Phillip McCorkle, Agent
MPC File No. Z-070817-54183-1**

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

LEGAL DESCRIPTION

Beginning on a point located at the intersection of the centerline of Cottonvale Road and U S Highway 17, thence proceeding in an easterly direction along the centerline of Cottonvale Road a distance of approximately 368 feet to a point, thence southerly along a line parallel to the centerline of U S Highway 17 a distance of approximately 378 feet to a point, thence westerly along a line parallel to the centerline of Cottonvale Road to its intersection with the centerline of U S Highway 17, thence northerly along the centerline of U S Highway 17 back to the point of beginning.

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

P.I.N. 1-0991B-02-013, 013A, 014, 014A

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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 19, 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>
Topographic survey of ballfield complex located at L. Scott Stell Park	Parks and Recreation	Kern-Coleman & Company	\$5,000	General Fund/M&O - Parks and Recreation
Window treatments and accessories for the Engineering conference and waiting rooms	Facilities Maintenance and Operations	Finishing Touches Designs	\$9,041	CIP - Old Courthouse Renovations
Window treatments and accessories for the County Manager's office	Facilities Maintenance and Operations	Finishing Touches Designs	\$4,986	CIP - Old Courthouse Renovations
One (1) used Ford Taurus	Parks and Recreation	Fairway Lincoln-Mercury	\$9,960	SPLOST (2003-2008) - Vehicle Purchase
Four (4) computers with monitors and flash drives	Detention Center	Dell Marketing (State Contract)	\$5,310	CIP - Detention Center
Grass seed for various park locations	Parks and Recreation	Lesco, Inc.	\$4,550	General Fund/M&O - Parks and Recreation
35 Stack-A-Bunks for hurricane supplies	Detention Center	Norix Group, Inc.	\$8,977	General Fund/M&O - Detention Center
Remove and replace existing ten (10) ton carrier air handler unit for the Parking Garage Annex	Facilities Maintenance and Operations	Boaen Mechanical Contractors	\$7,797	General Fund/M&O - Facilities Maintenance and Operations

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EXECUTIVE SESSION

Upon motion being made by Commissioner Stone and seconded by Commissioners Holmes and Farrell, the Board recessed at 11:30 a.m. to go into Executive Session for the purpose of discussing litigation, land acquisition and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 11:55 a.m.

=====

ITEMS FROM EXECUTIVE SESSION

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

ACTION OF THE BOARD:

Commissioner Holmes 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 Stone seconded the motion and it carried unanimously.

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ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 11:56 a.m.

=====

APPROVED: THIS _____ DAY OF _____, 2007

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

SYBIL E. TILLMAN, CLERK OF COMMISSION