

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, NOVEMBER 7, 2003, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.

I. CALL TO ORDER

Chairman Billy Hair called the meeting to order at 9:30 a.m., Friday, November 7, 2003.

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II. INVOCATION

Commissioner McMasters gave the invocation.

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III. PLEDGE OF ALLEGIANCE

All pledged allegiance to the flag of the United States of America.

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IV. ROLL CALL

The Clerk called the roll.

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

Chairman Hair introduced the following Youth Commissioners who were in attendance: Tamala Baker, a Senior at Savannah Arts Academy; Kyle Burnsed, a Sophomore at Savannah Arts Academy; and Catherine Cornelius, a Junior at Jenkins High School.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. FUTURE OF THE BAMBOO FARM, DR. MEL GARBER, ASSOCIATE DEAN FOR EXTENSION, UNIVERSITY OF GEORGIA.

Dr. Mel Garber said, good morning. I appreciate the opportunity to address the County Commission. I am Mel Garber, the Associate Dean for Extension with the University of Georgia, and I'd like to visit with you today regarding the future of the Bamboo Farm. The Bamboo Farm is located, many of you I'm sure know even better than I do, at the intersection essentially of Canebrake Road and Highway 17. But basically before I start, I want to say that from the college, College of Agriculture Environmental Sciences, of which the Cooperative Extension Service is a part of, we have appreciated the long and productive relationship that we have enjoyed through the Chatham County Extension Office under the leadership of Jackie Ogden and Chatham County. I think it has been a great example of County, State and Federal cooperation. We also appreciate the support and participation in the programs at the Bamboo Farm of the Friends of the Garden and other individuals in the community. But today I'm here because —, unfortunately because of the budget situation, our college and specifically I'll talk primarily about the Cooperative Extension Service, and we're having to adjust budgets as other units in the State are having to do and other businesses in the State are having to make adjustments. So we accept that responsibility, but in looking through our budget, we have had to make a number of changes and I thought before I specifically talk about the Bamboo Farm, you know, we have —, we have made a number of changes. One of them, for instance, I have been in this position since July 1 of this year and someone said, "Why in the world would you want to go into that position at this time?" I said, "Well, that's because I didn't know we were going to have two additional budget cuts after I started July 1." But since that time one of the things we had to do was look at our organization and a guiding principle I have used in making budget adjustments that simplifies things is this: I think any good organization maximizes the number of what I call line positions. Positions with direct interface with the clientele we serve. For the Extension Service the core of our program are the County Extension Agents and the State Specialists that develop our materials, and so that's the core we try to preserve. So in the context, just a few examples of what we have gone through, when I came on we had five district offices, and these are offices that provide program support and administrative support to the individual counties, such as Chatham County. I eliminated one of the districts, the district office that was housed at Fort Valley. That basically reduced my administrative cost associated with the county delivery system by 20%, and that has been completed effective November 1. We are evaluating our 4-H Camps. We will probably make a change in one of those where we can move from one camp to another location and save a number of dollars. We're looking at additional user fees on our Agriculture Environmental Sciences Services Lab. In addition to that, our Experiment Station has also made a number of changes. We have combined facilities, we have two dairy operations. We have combined those in Tifton —, to Tifton. We had two swine operations. Those have been combined into one in Athens. So, again, we made a number of changes like that and reduced other general administrative costs within the college. But despite those changes, you know, we're still looking at additional adjustments that we need to make within the Cooperative Extension Service, and that takes us really to the Bamboo Farm. At this time, the college, the Extension Service has a budget of \$170,000 associated with the Bamboo Farm. Based on the budget reductions we're looking at this year and particularly next year, '05 fiscal year, we would not be in a position to continue the funding the Bamboo Farm at \$170,000. So what we would like to do, and what I essentially presented to you today is to ask if the County Commission would be interested in entering into discussions with us regarding how we can maintain the programs and make it a win/win situation for Chatham County for the Cooperative Extension Service programs. Again, I think it's been a great partnership. It's a partnership we will continue because the Bamboo Farm I look at as a separate item from the —, budget-wise at least —, from the County Extension Office. For instance, right now we put in right at \$400,000 into the County Extension Office in Chatham County and the County puts in an additional, I think, about \$165,000 in round numbers. That is not part of the discussion so to speak. That will continue and that is part of our on-going programs. What we would like to enter into discussions is regarding the Bamboo Farm and the \$170,000 budget associated with that. Thank you.

Chairman Hair said, Dr. Garber, I appreciate you being here today. We —, at our pre-meeting we did discuss this and I think the consensus of the Commission was that we do want to sit down with you, or sit down with our staff and do, you know, we consider the Bamboo Farms an important operation for our County and it's been here for many, many years and we would like to see something continue out there, and if there's any way the County can assist that, we will. So I think that it was the agreement of the entire Commission that we would welcome your discussion with our staff and see what we could do to cooperate with you. Anybody have any —, Commissioner Rayno, do you have —?

Commissioner Rayno said, I agree with what the Chairman said, I just don't want it to be so hopeful to think that means necessarily you're going to get funds from the County, but it does mean exploratory conversations —. Dr. Garber said, sure. Commissioner Rayno said, — and that perhaps in those discussions the options of grants from the State which might be available or Federal funding would be viable options. Dr. Garber said, sure. I understand and I'm not here asking for a commitment, but I guess out of respect for the partnership that we have and we continue to have through the County office and the community support and I think value of the programs, that we just would like to have those discussions. So I recognize that there are no commitments at this time.

Chairman Hair said, right. Well, we certainly appreciate you willing to work with us and I think that giving us advance notice, I think, we also commend you for that as well. Any other questions of Dr. Garber? Thank you, sir, for being here. Dr. Garber said, thank you. Chairman Hair said, we will be in discussions with you.

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2. PROCLAMATION FOR VETERAN OF THE YEAR 2003, JERRY T. WALKER.

Chairman Hair read the following proclamation into the record:

WHEREAS, in the eyes of veterans, the Veteran of the Year is a special person that has demonstrated a willingness to sacrifice time and energy on behalf of veterans; today, we salute with great pride, the Veteran of the Year 2003, Jerry T. Walker; and

WHEREAS, Jerry T. Walker served in the United States Army with two tours in Vietnam. He received numerous awards which include the Bronze Star, Purple Heart, Air Medal, two Army Commendation Medals and other overseas ribbons; and

WHEREAS, he is a Life Member of the Vietnam Veterans of America, Chapter 671, where he rose to the rank of Chapter President and is now serving as Commander of their Honor Guard and Chapter Service Officer. Jerry started the first Color Guard Unit in Georgia for that unit, formed their High School Scholarship Program and currently serves as Chapter Service Officer; and

WHEREAS, Jerry T. Walker has been a volunteer with Disabled American Veterans since 1988, working at the Savannah Vet Center twenty to twenty-five hours per week and also at Savannah VA Primary Clinic. His voluntary efforts, dedication, enthusiasm and pride are an inspiration to the community.

NOW, THEREFORE, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby salute Veteran of the Year 2003:

JERRY T. WALKER

for receiving the highest honor a veteran in Chatham County can receive and applaud his dedicated devotion to our service men in Chatham County.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed this, the 7th day of November, 2003.

Dr. Billy B. Hair, Chairman
Chatham County Commission

ATTEST:

Frances Q. Rasmussen, Deputy Clerk

Mr. Walker said, I was Veteran of the Year. I appreciate it and I thank each and every one of you for inviting me and I was appointed as Veteran of the Year. I never knew how much I put into the community serving the veterans and the veterans' family in the community. I was given the opportunity when I got back from Vietnam that I would try to restore my citizenship as what I would have been if I had never went into military, but then I found out I was having medical problems that after about five to ten years I started receiving medical treatment and I found out —, my mentor told that —, my mentor to me all they were doing for me, Atlanta, Georgia, to Columbus, Georgia, and back to Savannah. And once we complete it and he helped me out and got me straight now with my medical problems. He said, well, what can you do for me. I said, what I can do for the veterans, I can give them ten years of free time to help every veteran and every family member of a veteran and help the community in any way I can. So I started that in 1988 and right now today with my health still going, I'm still going. Thank you.

Chairman Hair said, we have a presentation from the Chairman here.

Mr. Ken Seymour said, the Chairman [Hair] took a little bit of my thunder from my little presentation, but I'll go ahead from the beginning. Good morning. I'm Ken Seymour, the Chairman of the Veterans Council of Chatham County. I'm appearing before these councilmen for several reasons. First, the Veterans Council, which represent the 26,000 veterans in Chatham County, would like to thank —, take this opportunity to thank for your support of the veterans. I also would like to recognize one of your departments, Public Works & Parks Service. Year after year this department has given us outstanding support. We have an award of appreciation for you to present to them. The award is as follows:

The Veterans Council of Chatham County Award of Appreciation presented to Public Works & Parks Service, Al Lipsey, Lorenzo Bryant, III, Brenda Wilkins, in recognition and sends their appreciation for your patriotism and dedicated service to the Veterans of Chatham County, the Veterans Council of Chatham County and God and Country 2003.
Ken Seymour, Chairman.

Second, which we have already presented the Veterans of the Year, which I was going to do this. Next is our Parade Marshal. To be named the Parade Marshal and lead the Veterans Day Parade is a special honor that goes to a special person. This person also has demonstrated a willingness to sacrifice time and energy on behalf of veterans. The Veterans Day Parade Marshal is Arnice Mauldin. In closing, I would like to thank you on behalf of all veterans for your continuous support. Thank you.

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3. PROCLAMATION FOR 2003 VETERANS DAY PARADE MARSHAL, ARNICE "ARCHIE" MAULDIN.

Chairman Hair read the following proclamation into the record:

WHEREAS, originally called Armistice Day, November 11th, now known as Veterans Day, is a declared holiday commemorating all service men and those killed in battle. To be named Parade Marshal of the Veterans Day Parade is a special honor and we salute the 2003 Veterans Day Parade Marshal, Arnice "Archie" Mauldin; and

WHEREAS, Archie Mauldin, a native of Ozark, Alabama, served his country in the United States Air Force. While stationed at Turner Air Force Base, Kessler Air Force Base, Laughlin Air Force Base and Maxell Air Force Base, he graduated from a number of technical schools specializing in aircraft control and warning systems and Air Police. His tour of overseas duty is still classified; and

WHEREAS, he is a member of the Veterans of Foreign Wars, Mighty Eighth Air Force and a life member of the Disabled American Veterans having served as Service Officer, Treasurer, Junior Vice Commander, Judge Advocate and Commander. He is a delegate to the Veterans Council of Chatham County from the Disabled American Veterans, Chapter #8.

NOW, THEREFORE, I, Dr. Billy B. Hair, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby salute:

ARNICE "ARCHIE" MAULDIN

for being named Parade Marshal of the 2003 Veterans Day Parade and extend sincere appreciation for his dedication and commitment to veterans in the Chatham County community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed this, the 7th day of November, 2003.

Dr. Billy B. Hair, Chairman
Chatham County Commission

ATTEST:

Frances Q. Rasmussen, Deputy Clerk

Mr. Mauldin said, first, let me say thank you to all the Commissioners for having us here today and all of our guests that are here. I was doing a good bit of volunteer work, but I didn't know that anybody else was noticing it. I didn't take time to notice that anybody else was noticing it. I retired from work in 2000 and since then I've had time to dedicate more time to Disabled American Veterans, Chapter 8, and now we're trying to get it up and out with some exposure so people will know who we are and what we do. I don't know if y'all know the Disabled American Veterans' motto is "We are veterans helping to build better lives for disabled veterans and their families." I thank y'all very kindly for this, I thank you very kindly for the proclamation, and I appreciate all the work that y'all do for us.

Chairman Hair said, thank you, Mr. Mauldin. Mr. Mauldin said, thank you, sir. Chairman Hair said, congratulations.

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Chairman Hair said, if we could get the folks from the Recreation Department —, is Mr. Lipsey here and Mr. Lorenzo [sic], if y'all could come up and maybe you could officially give them the plaque. Come on up.

Mr. Ken Seymour said, like I had said earlier, year after year your department has cooperated with the Veterans Council and made our Veterans Day Parade a success every year. Without your department and your cooperation

it would have been really a hardship on us, but it's so wonderful working with your department in setting this here up because in going out there and talking to y'all, I know that the job's going to be done in putting up the bandstand, which is known as the reviewing stand. Every Veterans Day at seven o'clock in the morning your people's out there setting that bandstand up and I'm there with them so I know they do an outstanding job, and when the parade is over, we don't have to worry about the bandstand being moved because you're right there to do the job. This has been going on year after year, year after year, and I'm so thrilled to work with y'all. Y'all have done an outstanding job. Thank you.

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VI. CHAIRMAN'S ITEMS

- 1. LAZARETTO BOAT RAMP IMPROVEMENTS (SEE STAFF REPORT). REQUEST BOARD APPROVAL AUTHORIZING THE CHAIRMAN TO SIGN AN AGREEMENT WITH THE DEPARTMENT OF NATURAL RESOURCES, WILDLIFE DIVISION, TO DOUBLE THE SIZE OF LAZARETTO CREEK BOAT RAMP. [DISTRICT 4.] ALSO DISCUSS POSSIBLE DEDICATION OF RECREATION AUTHORITY FUNDS FOR BOAT RAMP MAINTENANCE AND IMPROVEMENT, COUNTYWIDE.**

Chairman Hair said, I'll entertain a motion to table Item 1 at the request of Commissioner Rayno. Commissioner Murray said, so moved. Chairman Hair asked, second? Commissioner Kicklighter said, second. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Thomas was not present when this vote was taken.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved that the item on Lazaretto Boat Ramp Improvements be tabled until after the Recreation Authority has had an opportunity to meet. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present when this vote was taken.]

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VII. COMMISSIONERS' ITEMS

- 1. PERMIT POSTING (COMMISSIONER MCMASTERS).**

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, thank you, Mr. Chairman. As we discussed in the pre-meeting, the suggestion that I have relative to the June 16th regulatory change on the posting of building permits at all job sites in the County, I asked for additional information on how this is being implemented; that is, once an inspector comes to a job site and the —, discovers that the permit is not posted what happens, and the answer to the question from staff was that the builder gets a pass and the inspector goes away and a reinspection is called for. There's no penalty at that point. This takes resources and time and when the reinspection is called for, the Inspections staff returns and then if they don't find the permit posted as called for, there is a \$15 fine, which I don't think adequately covers the cost of doing this service to the community and to the builder. For that reason I —, we decided in the pre-meeting to ask staff to address for us for the next meeting moving the —, refining this a bit so that there is a penalty on the first failure and what a more appropriate amount ought to be, obviously higher than the \$15. The second dimension of this subject has to do with —, as this Commission's liaison to the Board of Assessors, I can tell you that the Board of Assessors is tasked every year with inspecting a third of all the parcels in Chatham County for valuation purposes. Much of our construction is new construction, and when the Tax Assessors' appraisers go out into that third of the County every year, when they come upon a job site that has no posting, it creates additional work and expense for that department. We've made great progress in creating a better framework for positing, a standardization and a requirement, but I think it needs to be tightened up a little bit. So we're going to ask staff to refine this based on the comments that I've made today and once that is refined, we're going to recommend a resolution from this Commission if it passes to ask all other municipalities to adopt our posting requirement for new construction permits and inspection issues. So I appreciate having this on today's agenda and I appreciate staff's willingness and cooperation to refine this for us and we will further address this and make it better at the next Commission meeting. Thank you.

Chairman Hair said, thank you.

ACTION OF THE BOARD:

No action taken at this meeting. Staff was requested to refine the posting requirements and bring it back to the Commissioners at the next meeting.

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RECOGNITION OF GUESTS

Chairman Hair said, I'd like to recognize Representative Ron Stephens, who's joined us. Ron [Stephens], we're glad to have you with us. If you'd like to make any comment or anything, just let me know and we'd be glad to have you up here and make a speech if you want to. Representative Stephens said, no, thank you. Chairman Hair asked, no speeches? Okay. Commissioner Odell said, a brief one. Chairman Hair said, yeah, a brief speech. We don't like long speeches, we like brief speeches. Thank you.

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VII. COMMISSIONERS' ITEMS (continued)

2. MPC CONCERNS (COMMISSIONER MURRAY).

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yeah, I'd like to request staff go to MPC and ask for information, budget information on the amount of revenues taken in for their search and process they're going through now to hire a new Executive Director and also the expense with that and the same with the \$65,000 a year that we have given for three years for the tri-centennial stuff. I'd like it by line item so that we can understand where the revenues have come from and how much has been spent on both of these items.

Chairman Hair asked, staff, do you understand —, Mr. Abolt —. County Manager Abolt said, yes sir, I do. Chairman Hair said, okay. Thank you.

ACTION OF THE BOARD:

Commissioner Murray requested that staff go to the MPC and request budget information on amount of revenues taken in and the amount of expenses incurred in the MPC's search to hire a new Executive Director and the amount of revenues and expense on the tri-centennial, and that these amounts be brought back to the Commission on a line item basis.

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CHATHAM AREA TRANSIT AUTHORITY

The Board recessed as the County Commission at 9:55 a.m., and reconvened as the Chatham Area Transit Authority.

The Chatham Area Transit Authority was adjourned and the Board reconvened as the County Commission at 1:03 p.m.

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VIII. TABLED/POSTPONED ITEMS

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

1. * **UNION DECISION—REV. LEONARD SMALL. Note: At meeting of September 26, 2003, item was tabled until meeting of October 10, 2003. Note: At meeting of October 10, 2003, item was tabled until meeting of November 7, 2003, at the request of Rev. Small.**

Chairman Hair said, I'll entertain a motion to take it off the table. Commissioner McMasters said, so moved. Chairman Hair asked, second? Commissioner Kicklighter said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously.

Commissioner Rayno said, I'd like to make a motion to go into Executive Session to discuss the legal issues surrounding this particular item. Chairman Hair asked, do I have a —. Commissioner McMasters said, Jeff [Rayno], we decided to vote it conceptually and let staff do their thing. Commissioner Rayno said, okay. Chairman Hair asked, you withdraw your motion? Commissioner Rayno said, I'll withdraw the motion.

Chairman Hair said, all right. I'll entertain a motion —.

Commissioner Kicklighter said, I'll make a motion to conceptually approve the union. Chairman Hair said, the union with the administrative regulations to be worked out by staff and —. Commissioner Odell said, hold on, hold on.

County Attorney Hart said, I'm going to need some clarification. Is understanding that the motion is that you're instructing staff to come up with an administrative procedure —? Chairman Hair said, correct. County Attorney Hart asked, for what? Dues checkoff and what? Commissioner Odell said, dues checkoff. County Attorney Hart said, dues checkoff. Chairman Hair said, no, not just dues checkoff. Everything addressed in your letter —. County Attorney Hart said, okay. Chairman Hair said, — you will work on, administrative rules and procedures that would deal with those issues.

Commissioner Rayno said, I make a motion to go into Executive Session for legal issues surrounding this particular item. Commissioner Murray said, I'll second it. Chairman Hair said, all those in favor vote yes, opposed vote no. Commissioner Kicklighter said, I've got to remove my first one, don't I. Commissioner Rayno said, there was no second to it. Commissioner Kicklighter said, okay. Commissioner Odell said, oh, I seconded it. Commissioner Kicklighter said, well, I'll withdraw mine. County Manager Abolt said, legal advice. Chairman Hair said, voting on the Executive Session. Commissioner Rayno said, I'm going in for legal advice please. The motion carried unanimously.

[NOTE: The meeting of the County Commission was recessed at 1:05 p.m., to go into Executive Session for the purpose of discussing legal issues. Upon adjournment of the Executive Session, the meeting of the County Commission was reconvened at 1:14 p.m.]

Chairman Hair said, for the record there were no actions or votes taken in Executive Session. I will now call on Commissioner McMasters to make a motion. Prior to his motion, however, I want to state for the record again that the motion deals only with general government employees and does not affect constitutional officers departments. County Attorney Hart said, or the police department. Chairman Hair said, or the police department.

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, right, excluding police officers and law enforcement I'd like to make the following motion to direct staff to review the Personnel Ordinance to allow representation options as administrative policy for Chatham County employees, which would include dues checkoff. Commissioner Rivers said, second. Chairman Hair asked, any discussion? All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, McMasters, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioners Rayno and Murray voted in opposition. The motion carried by a vote of seven to two. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

1. Commissioner McMasters moved to untable the union decision item for discussion. Commissioner Kicklighter seconded the motion and it carried unanimously.
2. Commissioner Rayno moved to go into Executive Session for the purpose of discussing legal issues surrounding this item. Commissioner Murray seconded the motion and it carried The motion carried unanimously.
3. Commissioner McMasters moved to direct staff to review the Personnel Ordinance to allow representation options as administrative policy for Chatham County employees, excluding police officers, law enforcement and departments of constitutional officers, which would include dues checkoff. Commissioner Rivers seconded the motion. Chairman Hair and Commissioners Rivers, McMasters, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioners Rayno and Murray voted in opposition. The motion carried by a vote of seven to two.

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- 2. * REQUEST FOR NEW BEER AND WINE POURING AND SUNDAY SALES LICENSES FOR 2003. PETITIONER: JOHN B. REMION, JR., D/B/A RAQUEL'S BAR & GRILL, LOCATED AT 4001 OGEECHEE ROAD (FORMERLY KNOWN AS THE DUCK POND). [DISTRICT 5.] Note: At meeting of October 24, 2003, item was tabled until a background investigation can be conducted to determine if there is any connection of the petitioner to the prior owner. See additional report from Police Department.**

Chairman Hair said, I'll entertain a motion to take it off the table. Commissioner McMasters said, so moved. Chairman Hair asked, second? Commissioner Rivers said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously.

Chairman Hair said, I'll entertain a motion.

Commissioner Odell asked, is that Fifth District? Chairman Hair said, yes. Commissioner Odell asked, and —, is Gregori Anderson here? County Manager Abolt said, yes. Commissioner Odell asked, you've reviewed and there's no —? This is a new petition although there was a prior liquor license at that location. Is that true? Mr. Anderson said, that's correct. Commissioner Odell asked, there's no correlation or relationship between the old owner and the new owner? Mr. Anderson said, that's correct, sir. Commissioner Odell said, and when I say correlation, not only by blood, marriage, but they're not living in the same house. Mr. Anderson said, that's what we understand from the police investigation. Commissioner Odell said, okay. All right, and it complies with all other terms. Mr. Anderson said, yes, it does. Commissioner Odell said, okay. There are no objections from staff? Mr. Anderson said, no sir. Commissioner Odell said, I make a motion that it be approved. Chairman Hair asked, second? Commissioner Kicklighter said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

1. Commissioner McMasters moved to untable this matter and place it before the Commissioners for consideration. Commissioner Rivers seconded the motion and it carried unanimously.
2. Commissioner Odell moved to approve the petition of John B. Remion, Jr., d/b/a Raquel's Bar & Grill, located at 4001 Ogeechee Road (formerly known as The Duck Pond), for new beer and wine pouring and Sunday sales licenses for 2003. Commissioner Kicklighter seconded the motion and it carried unanimously.

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- 3. * REQUEST FOR TRANSFER OF BEER, WINE AND LIQUOR POURING AND SUNDAY SALES LICENSES FOR 2003. PETITIONER: WILLIAM A. ROWLAND, MANAGER, D/B/A UNCLE HARRY'S, LOCATED AT 12 NORTH LATHROP AVENUE. [DISTRICT 8.] Note: At meeting of October 24, 2003, item was tabled to until Board is given an answer as to what the "adult code violations" were. See additional report from Police Department.**

Chairman Hair said, I'll entertain a motion to take off Item #3.

Commissioner Rayno said, Dr. Hair, the police are not here to answer pertinent questions. Chairman Hair said, the Chief's right here. Commissioner Rayno said, oh, he is. Chairman Hair said, the Chief's right here. Commissioner Rayno said, oh, great.

Chairman Hair recognized Commissioner Thomas. Commissioner Rayno said, it's still on the table. Chairman Hair said, Dr. Thomas, she's got a question. Dr. Thomas said, [inaudible]. Chairman Hair said, not yet. Commissioner Thomas said, oh, after we take it.

Chairman Hair said, okay. I'll entertain a motion to take it off the table. Commissioner Odell said, so moved. Chairman Hair asked, second? Commissioner McMasters said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, now, Dr. Thomas.

Commissioner Thomas said, yeah, I'd like to ask Mr. Anderson a question. Mr. Rowland is here? The petitioner? Okay. You say request for transfer. Now it's being transferred from whom and I know to you, right? Well, who is it coming from? Mr. Anderson said, from the previous owner, which was Mr. Harry Kyriakides, I believe is the way it's pronounced. Commissioner Thomas asked, Cage? Mr. Anderson said, no, Kyriakides, I believe is the way you pronounce it. Commissioner Thomas said, okay. Oh, okay. All right. That's all I needed to know.

Commissioner Rayno said, I have a question —. Chairman Hair recognized Commissioner Rayno. Commissioner Rayno said, — of the police chief. I just want him to read into the record what Mr. Rowland's Adult Code Violation

was. I've got a sheet here if you don't have it. Could you read all of that there please? Chief Bob Oliver said, sure. Commissioner Rayno said, for the record. Chief Oliver said, this is a report from the Jacksonville Sheriff's Office. Chairman Hair said, Chief, just before you do that —. Chief Oliver said, I'm sorry. Chairman Hair asked, — Mr. Hart, is that appropriate? Chairman Hair said, if you wish the Board to do that. Chairman Hair said, I just wanted to make sure it's legal. Okay. County Attorney Hart said, the police department has the responsibility to report to this Commission on what the investigation was. Chairman Hair said, I just wanted to make sure that —, okay, no problem.

Chief Oliver said, as part of the investigation we have a report from the Jacksonville Sheriff's Office, Jacksonville, Florida, and in it's in reference to William Alfred Rowland and the investigation of a club he was the manager of on this particular night —. Commissioner Odell asked, Chief, could you adjust the mike? I'm old and I'm having a hard time hearing you. Chief Oliver asked, can you hear me now? Chairman Hair said, yeah, that's better. Chief Oliver said, I apologize. Chairman Hair said, we have hearing aids. Chief Oliver said, I'll read the narrative of the report with reference to Mr. Rowland. It says the —, "On 1/28/02 at approximately 2030 hours the Jacksonville Sheriff's Office Vice Unit conducted an Adult Entertainment Code violation investigation at 320 Doolittle Drive business of the Gold Club. This establishment serves alcoholic beverages. The listed defendant is the manager at the club, and while detectives were inside multiple dancers were observed dancing on stage with their bottom attire fashioned in a manner which exposed their buttocks and their breasts were exposed with clear tape attached to their nipples. Some of the dancers also performed lap dances on patrons in which they grinded on the patron simulating a sexual act. The defendant was inside the club during these activities and at the time of questioning he admitted to being the manager. The defendant was advised of his rights and taken to the pre-trial detention."

Commissioner Rayno said, okay. Is there a lap dance room at this facility, Mr. Rowland. Mr. Rowland said, yes. Commissioner Rayno asked, how much is it for a lap dance. Mr. Rowland said, \$30. Commissioner Rayno asked, what do patrons get for that? The Clerk said, please —, we can't hear you. Commissioner Thomas said, can't hear you. Mr. Rowland said, just a dance in front of them. Commissioner Rayno said, just a dance in front of them. There's no actual contact like what you had happen down in Jacksonville? Mr. Rowland said, no sir. Commissioner Rayno said, well, based on what I've heard, I just really don't believe that it's going to go without some problems. I make a motion for denial for a Sunday liquor license. Chairman Hair asked, does that motion have a second? Commissioner McMasters said, second with discussion. Chairman Hair said, yeah, we will have further discussion.

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, thank you, Mr. Chairman. Mr. Rowland, the prior license that is being transferred over to you, did the prior license include Sunday sales? Mr. Rowland said, yes, it did. Commissioner McMasters said, okay. That's the only question I have.

Chairman Hair said, okay, Dr. Thomas.

Commissioner Thomas said, also in this memo here it stated something about your being or may be affiliated with organized gangs, such as a biker's organization. Are you —. Mr. Rowland said, no, ma'am. Commissioner Thomas asked, — are you familiar or are you —, what's the word I want? County Attorney Hart asked, affiliated? Commissioner Thomas said, affiliated is the word I'm looking for. Are you affiliated with the bike group off of Augusta Avenue? Mr. Rowland said, no, ma'am. Commissioner Thomas asked, you're not affiliated with them at all? Mr. Rowland said, no, ma'am. Commissioner Thomas said, okay, because we're having a lot of problems and I just want to make sure. I did speak to the president of the West Savannah organization about it and so that is one of their concerns, and so you're saying that you're not, right? Mr. Rowland said, no ma'am. Commissioner Thomas said, okay.

Chairman Hair said, Commissioner Odell and myself.

Commissioner Odell said, staff recommends approval. Is that —, is that correct, Mr. Anderson? Mr. Anderson said, that's correct. Commissioner Odell said, and you've done a background search and check on this individual and based upon your expertise your best advice to us is to approve. Right? Mr. Anderson said, that's correct. He meets all of the provisions of the ordinance. Commissioner Odell said, right. And the only thing that we have against this gentleman is that he was the manager of a club in Jacksonville and somebody did a lap dance. I have no problems with that. I mean, we're trying to legislate morality. Well, I personally —, and I say this for my wife —, would not condone —. Chairman Hair said, keep digging. You want to borrow my shovel? Commissioner Odell said, anyway there are people who will go and if he meets the license requirement, he has the right to make a living.

Chairman Hair said, I was going to —, Mr. Hart? County Attorney Hart said, yes sir. Chairman Hair said, — and Mr. Abolt —. County Manager Abolt said, yes sir. Chairman Hair asked, do you know of any legal reason to deny this application? County Manager Abolt said, no sir. Chairman Hair asked, Mr. Hart? County Attorney Hart said, no sir. Chairman Hair asked, do you know of any legal reason? County Attorney Hart said, no sir. Chairman Hair asked, and Mr. —, Gregori [Anderson], do know of no legal reason to deny this application? Mr. Anderson said, no sir. Chairman Hair said, so if we deny this application, we're going to be doing it against —. He meets all the legal requirements, is that correct? County Manager Abolt said, yes sir. Chairman Hair said, okay, for the record. Commissioner Rayno said, we do have the discretion to deny though, don't we?

Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, let me ask you this. Is the police department recommending this license? County Manager Abolt said, yes sir. County Attorney Hart said, yes. Commissioner Gellatly said, well, I guess this is a rare occasion that I don't agree with the police department. I personally think that these violations in Florida were significant. Obviously they don't show up in a computer check. It's been my experience, which is extensive with bars like this, both locally and in other communities, that you know some people might feel that these types of violations are minor, but experience tells me that when you have these infractions, everything else goes with it too, and I personally am opposed to it and I will vote against this license. I think those violations are significant. They lead to other very serious types of criminal behavior, and that's my opinion.

Chairman Hair said, okay, we have a motion and a second to deny. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Commissioner Thomas, I just wanted to ask, you had made a comment and I didn't hear it, about talking to someone. Chairman Hair said, she did that. Commissioner Thomas said, I spoke with the president of the West Savannah Community Organization, where this business, you know —. Commissioner Kicklighter said, is located. Commissioner Thomas said, — is located. Thank you, I'm not here today. And their main concern was the fact that whether he met all of the, you know, the requirements and everything, but they are concerned about any undesirable things that may come forth because they're in the process now of cleaning up the area. They don't want a lot of undesirable types of, you know, things going on, but I was informed that if he meets all of the requirements, then it's okay.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you. I said this in pre-agenda, but I just want to remind everyone that, you know, in my opinion —, not my opinion, I know we're sworn to uphold the Constitution, the State laws, the local ordinances, and if all of our recommending staff tells us that it's —, it's legal, it's our constitutional duty to approve whether or not we believe in it morally or whatever, we have to uphold the law which we are sworn to do. And so —.

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, thank you, Dr. Hair. Do you provide security? Mr. Rowland said, yes sir. Commissioner McMasters asked, you do? Do you ever employ off-duty police officers as your security representatives? Mr. Rowland said, normally the police department doesn't allow them to work in bars in my experience. Commissioner McMasters asked, could I get a confirmation from Chief Oliver? Commissioner Gellatly said, because of their activity, they're not allowed to work there. The police aren't allowed to work there. Chairman Hair said, let's —, go head, Chief. Let's let the Chief answer. Chief Oliver said, currently we do not have anybody that's working in bars at this time. Chairman Hair asked, do you prohibit it? Chief Oliver said, and we like that they don't work in the bars. Chairman Hair asked, but there's no policy? Chief Oliver said, no sir, there's no policy directly prohibiting it.

Chairman Hair asked, any other questions? Commissioner McMasters said, no, I guess I don't. Chairman Hair said, okay. Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, and just for clarification, and I'm sure we have a merged department now, but I know that the —, even prior to that both the County and the City had off-duty employment regulations. A police officer requires, for lack of a better word, a permit or permission to work off duty to at any particular location. The fact of the matter is that certainly City policy and probably County police do in fact work at different types of bars, but one of the requirements for that is that that bar be —, meet certain types of requirements as far as to what goes on in the bar, and to my knowledge that there is —, there isn't any topless bars in the County or the City where off-duty police officers are allowed to work just because of that type of activity, and that's not a moral issue, that's an issue that law enforcement knows for a fact that when you allow these types of activities, you have drug activity, you have criminal activity, you have all the other that goes with it. This is where your aggravated assaults occur and all you have to do is check the Savannah newspaper and see how many murders that we've had in and around bars that do this same type of activity, and I'm opposed to it not on morals, but on the possibility that we could have —, the probability that we could have some criminal activity there, and I'm going to vote against it.

Chairman Hair said, Commissioner Kicklighter and then I think we're ready to vote. The motion is to deny.

Commissioner Kicklighter said, that's exactly why police officers ought to be able and allowed to work there where they can stop the crime.

Chairman Hair said, all right, we have a motion and a second to deny. The Clerk asked, who seconded, please? Chairman Hair said, Commissioner McMasters seconded it. If you're in favor of denial, you vote yes. If you're opposed to denial, you vote no. Commissioner Rayno said, this is just for Sunday. Commissioner Thomas asked, denial for what —. Chairman Hair said, if you're in favor of denial, vote yes. If you're opposed to denial —. Commissioner McMasters said, but this is for Sunday only. Commissioner Rayno said, it's just for Sunday. He can still have his lap dances and everything else Monday through. Chairman Hair said, no, the motion —. The Clerk said, his motion was only for Sunday sales that he be denied. Mr. Rowland said, sir, we're not even open on Sunday. Commissioner Murray asked, well, why are Sunday sales involved in it then? Commissioner Odell asked, then why are we doing this? Commissioner Kicklighter said, he was just transferring the license. Chairman Hair said, the old owner was —. Mr. Rowland said, he wasn't open on Sunday and we aren't open on Sunday. Commissioner Rayno said, so you can approve it —, no problem if that's the final. Chairman Hair said, all right, the motion is to deny on

Sunday sales only? Commissioner Rayno said, yeah. Commissioner Kicklighter said, oh, that's what you —, okay. Commissioner Rayno said, just Sunday. County Attorney Hart said, clear the board and reset. Commissioner Kicklighter asked, can we reset? The Clerk said, I reset it. Chairman Hair said, now we need a motion to approve the rest of the liquor license is what we need a motion now for this. Okay, this is —. The Clerk said, I reset it because they asked to be reset, so please cast your votes again. Commissioner Rayno said, it's just a motion to deny Sunday liquor sales. Chairman Hair asked, you second that? Commissioner Odell said, and he's never had any. Chairman Hair said, he's never had any. You don't oppose that, right? All those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rayno, McMasters, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rivers voted in opposition. The motion carried by a vote of eight to one. Chairman Hair said, the motion passes.

Chairman Hair said, now I'll entertain a motion to approve or deny the license, or the transfer of the license. Commissioner Gellatly asked, and we're asking what? Chairman Hair said, we need a motion to either approve or deny the transfer of the license —. Commissioner Rivers said, so moved that we transfer the license. Chairman Hair asked, second? Commissioner Odell said, second. All those in favor of the transfer vote yes, opposed vote no. Commissioner Thomas asked, in favor of the transfer? Chairman Hair said, that's right. Chairman Hair and Commissioners Rayno, McMasters, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rivers voted in opposition. The motion carried by a vote of eight to one. Chairman Hair said, the motion passes. Thank you, Mr. Rowland. We appreciate you being here.

ACTION OF THE BOARD:

1. Commissioner Odell moved to untable this matter and place it before the Commissioners for consideration. Commissioner McMasters seconded the motion and it carried unanimously.
2. Commissioner Rayno moved to deny the petition of William A. Rowland, Manager, d/b/a Uncle Harry's located at 12 North Lathrop Avenue, for the transfer of a Sunday sales license for 2003. Commissioner McMasters seconded the motion. Chairman Hair and Commissioners Rayno, McMasters, Murray, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Rivers voted in opposition. The motion carried by a vote of eight to one.
3. Commissioner Rivers moved to approve the petition of William A. Rowland, Manager, d/b/a Uncle Harry's located at 12 North Lathrop Avenue, for the transfer of a beer, wine and liquor pouring license for 2003. Commissioner Odell seconded the motion. Chairman Hair and Commissioners Rivers, Murray, Odell, Kicklighter and Thomas. Commissioners Rayno, McMasters and Gellatly voted in opposition. The motion carried by a vote of six to three.

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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. BOARD CONSIDERATION ON OPTIONS TO CHANGE LEAF BURNING ORDINANCE.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, gentlemen, this comes about after extensive legal review. Mr. Hart has done an excellent job of working not only with County staff, but I also know with Chief Meadows at the Southside Fire Department. The reason it's before you now as opposed to being on first reading, Mr. Hart —, and I'll defer to him very quickly —, has given you different options to start from just outright banning it, different choices you have, and rather than put it on first reading and look for an amendment process, we felt it more in fact expedient to give you some direction today and then the ordinance be placed on first reading at your next meeting.

Chairman Hair said, Mr. Hart and then Commissioner Murray.

County Attorney Hart said, this is basically a situation in which y'all have mostly a policy decision to make whether to ban the burning of yard waste in unincorporated Chatham County. If you do that, it has been the practice when there's been outright bans of things like this, that you start to getting to have an enforcement problem and then you have dumping and dumping on vacant lots. Several years ago there was a move to put a difference price on dumping fees for asbestos shingles and the next thing I know the guy down the street with a vacant lot gets a pick'em up truck with asbestos shingles on them. So I think probably overall there's going to be some type of people burning yard waste, and the real question is how do you want to control it. The ordinance, as recommended, and I met with officials of the Southside Fire Department and discussed it. They —, they have told Mr. Anderson and myself that during the burning

season or the Fall of the year, they receive about three complaints a week. They say that most of those complaints are driven basically by which direction the wind's blowing that day. It blows on somebody's house and they don't like it, they make a complaint. They say they make the call and on about 75% of the occasions, they either have a permit to burn from Southside Fire Department or through the Georgia Forestry Service, which is the way we do it now. In those cases in which they do not have a permit, they tell them they can either put the fire out or they'll put the fire out, and they say very, very seldom do we have to assist. He said most of the people are pretty compliant about that. They take no enforcement action on that first warning so to speak. If it becomes a repeated problem, then they exercise the language under the current ordinance. We recommended continuing the —, somewhat the process that we have now of allowing you to burn the yard waste that's generated on your own yard. If you rake up your own leaves on your own yard, that's fine, but don't go get your neighbor's leaves and burn them and become a slash and burn type facility. The second thing we recommended was to continue to require a burn permit through Southside Fire Department or the Georgia Forestry Service, and if that is complied with, we see no real problems. In speaking with both Mr. Anderson's persons that go out and make the compliance as well as the officials of Southside, they very rarely find people that are burning in a hazardous situation. So what we have done is we've amended our ordinance to include portions of the old ordinance as well as to place some other language in there that is also conducive to our waste management statute. I just felt like we all needed to have that in one place rather than part of it in one —, one area and part of it in another.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, yeah, when you say most of the time it's not hazardous, are you talking about hazardous from a fire standpoint or —. County Attorney Hart said, yes sir. Commissioner Murray said, — smoke going into someone's house that has asthma or emphysema or something like that, that can't breathe. County Attorney Hart said, mostly from a fire standpoint. They —, the biggest problem, as I understand it from speaking to the fire departments, is burning early in the morning. Commissioner Murray said, the complaint now is not the —, and I get quite a few of them during the time that most people burn leaves and yard waste, and I understand it and I understand why they complain, and I'm not suggesting that we take and ban yard burning permanently anywhere in Chatham County. What I do feel like we need to do is try to set some guidelines of how we're going to do this. Maybe just set certain days during the week that you can burn trash and then advertise that and let people know about it, but what's happening is most people —, and you're right, it depends on which way the —, which direction the wind's blowing —, but if you're sitting at home and you've got your windows up trying to air your house out or whatever you want to do getting some fresh air and somebody does burn stuff and the wind's blowing in your direction, I don't care how far away they are, you're going to get the smoke through your house and it's hard to get out. And you do have an awful lot of people with certain type breathing problems. That is the whole reason for trying to do something with this, not to say we can't do it at all. If we simply can't do it at all we have a number of problems. We've got people that you're saying are taking trash and dumping it on vacant lots. We also have the landfills and stuff filling up quicker than we can do anything about it. So I think we need to be able to continue to burn that, but we just need to have some guidelines to go by, and once we set those guidelines, we need to make sure they're advertised or however we do that so the general public knows about it.

County Attorney Hart said, the only other issue that came up, and it really didn't come up in this discussion, but I met with officials of Southside and Building Safety and Regulatory Services this week about another matter that's sort of related to this, and during the course of discussion there had been complaints about burning at another location and there was a question of whether we wanted to take an enforcement action, and the point was made that in Chatham County if you burn early in the morning, 6:30, 7:30, 8:30 in the morning, that the relative humidity is generally high at that time of the morning and that the smoke has a greater degree of density to it and trouble dissipating. So as a result of that discussion, you know, there's certainly a provision that I could add to say don't burn trash before nine o'clock or ten o'clock in the morning, and that might also be helpful.

Commissioner Murray said, yeah, but what you've got in there though is where you still were allowing it seven days a week, and my point is we need to designate some times possibly or certain days during the week to do it if we can do that. County Attorney Hart said, you can certainly designate days of the week to do it if you choose every other day or Mondays, Wednesdays and Fridays. You know, you've got pretty —, a broad latitude. You just need to remember, you know, the more rules you make, the more enforcement issue you get, and most of these issues are complaint driven. Commissioner Murray asked, well, can I refer the telephone calls to you when I get them?

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I just kind of want to warn possibly what could happen out of good intentions there would be that people would be waiting, let's say we made it where they could only do it on weekends and, you know, most people are definitely off on weekends, but there's some people that's home that probably burn throughout the week, so you may wind up having everyone burning leaves on the weekend and people with asthma and problems would really have, you know, I'm saying that good intentions, if you don't watch it, could go bad.

Chairman Hair said, you know, there's no perfect solution. Commissioner Murray said, no, but at least if you know that it's going to be done on a certain day though, you wouldn't go out and open all your windows. Chairman Hair said, probably what we —, you know, trying to do the best we can with the initial draft and then we modify it as we need to. Commissioner Murray said, just look up and see.

ACTION OF THE BOARD:

Received as information. This item will be placed on the agenda as a first reading at the next meeting.

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2. REQUEST BOARD CONCEPTUALLY APPROVE THE FINANCING OF A PUBLIC SAFETY RADIO SYSTEM UPGRADE BY AUGUST 2004.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, this is a heads up, and I'll defer to Mr. Leonard, but essentially we're going to be looking at with your approval commitment to extend the funding we now have for retiring via lease some investment in communications equipment and then by continuing to lease from the standpoint of budgeting planning that source of funds even though technically that once the lease is gone the commitment to pay off the lease obviously is not there, and then to, if you will conceptually agree with that, look at putting together something you could approve and in the event that the lease payments are more than what we now have budgeted going forward, that would have minimum effect, we believe, on the County's overall budget. Mr. Leonard?

Mr. Lewis Leonard said, currently the City of Savannah and Chatham County have a joint 800 MHz public safety radio system. The system has been installed since 1997 and is used by all of the public safety agencies in the County including all the municipalities. The version of the system that we are on, which is Version 2.03 from Motorola, is going to be non-supported after June 30th of 2006. What that means is that we won't be able to get hardware and software replacements after that date. It means if something breaks, very likely it would be very, very difficult or impossible to fix. The last date to buy the next upgrade, which is a 4.1 upgrade, is August 31st, 2004. Now that upgrade will be supported out to about 2011, which means that we've got 11 to 13, Motorola's not sure when they'll stop supporting that upgrade. So the County portion of the 4.1 upgrade would cost about two to two and a quarter million dollars. We will get a definite proposal in about the middle of this month, and what we're asking you to do is conceptually approve the idea of going ahead with the upgrade, and then to coordinate the financing of this with the termination of leases that we already have so that we could coordinate with our lessor that the start date of a new lease to pay this two million dollars would —, would commence on the date that we had amortized in the existing lease. In other words, to keep the payments low so that there wouldn't be any affect on the County budget. If we do not purchase the 4.1 upgrade, then when Motorola ceases support in 2006, our only option then is about a ten million dollar expenditure to buy a new radio system. That would be ten for the County and the ten for the City, so we're talking about a —.

Commissioner Murray said, well, you just answered everybody's question. Chairman Hair said, yeah. I think we've heard enough. Anybody want to have any questions? I think —, anybody?

Commissioner Rayno asked, will the City's participation be the two something million? Mr. Leonard said, what —, it would be twice whatever ours is. In other words, they will pay an equal amount. We won't —, as I say, we won't know until about November 15th what the actual cost will be and subsequent to that we'll bring you back a —. Commissioner Rayno said, if it goes one starting when the other one's finished then we won't notice it in the budget that much. It will be just a level playing field as we go along in the future. Mr. Leonard said, correct.

Chairman Hair asked, Commissioner McMasters, do you have a question? Commissioner McMasters said, no. Commissioner Rayno said, motion to approve. Chairman Hair said, motion to approve. Second? Commissioner Murray said, second. Chairman Hair said, all those in favor of the motion vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Rayno moved to conceptually approve the financing of a Public Safety Radio System upgrade by August 2004. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.]

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**3. BOARD CONSIDERATION ON THE DISPOSITION OF A 5-ACRE TRACT OF LAND AT RICE MILL PLANTATION INTENDED FOR DEDICATION AS A PUBLIC PARK.
[DISTRICT 6.]**

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, this is an issue that's been lingering with the development that is now maturing on the Southside in the Rice Mill area. As indicated by the Chairman, there was discussion some time ago back in 1997 as to whether or not the County might find it advantageous to receive a five-acre tract of land donated for public park purposes. At that time they were somewhat non-specific in their concern about accessibility. We want to bring some closure to this with your guidance today. As a matter of practice, County staff does recommend very strongly against

the continuation and proliferation of small neighborhood parks because of the amount of absorption and commitment of our very precious resources to do maintenance in a small scale area. There are some options though if we're looking at this as open space and giving some credits for that. We've given you the option now to in effect give us some guidance with our feeling, as I mentioned, that to create another park, particularly in an area that even though it might be needed, the best bang for our recreation and maintenance buck would not be to focus on a five-acre site.

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, I just want to commend staff for negotiating an agreement with the developer that actually benefitted the community above and beyond the project itself and the dedication of this five-acre potential park and greenspace. I think that's superb. County Manager Abolt said, thank you. We've also just —. Thank you. I also want to give credit to Chairman Hair because this happened shortly after he was elected and I do recall participating in those sessions. Commissioner McMasters said, I would encourage —. Chairman Hair said, serious negotiations. Commissioner McMasters said, I would encourage as much as possible this sort of collaborative negotiations between developers as Chatham County develops out. I think that it's very forward thinking, it's very much appreciated by the people that are here, not the people that are coming. I think they'll ultimately come to recognize the value of this, but I salute staff and the Chairman for this sort of effort. County Manager Abolt said, thank you.

Chairman Hair said, need a motion. Commissioner Rayno said, I think it was with a [inaudible]. Chairman Hair recognized Commissioner Gellatly.

Commissioner Gellatly said, I'd like to make a motion that we go ahead with this. Commissioner Thomas said, second. Commissioner Rayno said, second. Chairman Hair asked, any further discussion? All those in favor vote yes, opposed vote no. County Manager Abolt said, please —. Commissioner Rayno said, with the direction that it be kept as a passive park. County Manager Abolt said, that's what I need. Thank you. Commissioner Gellatly said, I'll accept that amendment. Commissioner Rayno said, lack of funding because we really need to maintain the parks that we have now. Chairman Hair said, and we always could change it later if the funds became available. County Manager Abolt said, we're looking at open space. Chairman Hair said, everybody needs to vote. The motion carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.] Chairman Hair said, thank you. The motion passes.

ACTION OF THE BOARD:

Commissioner Gellatly moved to accept the dedication of a five-acre tract of land at Rice Mill Plantation for use as a passive public park. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.]

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4. FISCAL YEAR 2004 FIRST QUARTER REPORT DATED SEPTEMBER 30, 2003.

Chairman Hair asked, any questions on that? Commissioner McMasters said, yeah.

County Manager Abolt said, I would like to, just by way of introduction, not only to re-introduce Ms. Cramer to you, but to acknowledge that she's, I think, though she may not be counting the days, but I'm aware of the fact that this past Tuesday she celebrated her second month anniversary with the County, and I am even more impressed than I was when I hired her. She has done a super job and also this week to not only my satisfaction, but to she and the department, she's hired an Assistant Finance Director, a Ms. Deariso, who was formerly Comptroller for the Town of Hilton Head and Assistant Finance —, well, she's right here. Ms. Cramer said, yeah. County Manager Abolt said, I don't mean to steal her pedigree or what Linda [Cramer] is going to tell you, but not only has the corner been turned in our Finance administration, but the quality of people that carry the torch are represented before you and for what they're not only going to do now, but what they will do in the future I want to say thank you and an other tribute to Ms. Cramer, when I asked her to make sure we had this first quarter report to you done on time, her first response, which I will remember, is "Let's before we give them the report and as we give them the report, let's ask them what you would like to see us do differently or expand on." And I think that's a testimony to the way in which she approaches her job and for which I am most grateful.

Commissioner Murray said, and you're still smiling after two months. Ms. Cramer said, yeah. I'm still here. Commissioner Murray said, unreal. Ms. Cramer said, but I would want to introduce you to Cheryl [Deariso]. Cheryl's been here since Monday. Commissioner Murray said, welcome. Ms. Deariso said, thank you. Ms. Cramer said, Cheryl came from Hilton Head. She was formerly with McDuffie County, Georgia, as the Finance Director and prior to that she was with Augusta, Richmond County, so she's going to bring a lot to the table for us. Chairman Hair said, thank you.

Ms. Cramer said, as far as the first quarter report goes, I gave you a lot of pages here and a lot of detail. You do have on each of the funds a summary of activity for the first quarter and then on several of the funds, the General Fund and SSD Fund, you have a lot of detailed information, which I hope is beneficial to you. You also have a lot of information in the CIP Fund as far as the project level detail, and then we did throw in some —, something in the back on the Health Insurance Fund just so you'll know how that's tracking. As I mentioned in the report, the revenues look a little

bit low in the major funds, the General Fund, the SSD Fund. That's because the property tax revenues have not really started to come in yet, and I think when we come back for the second quarter you'll have a different picture on that. We also tried to in the report in the remarks column, General Fund and SSD Fund, highlight any unusual variances and try to go ahead and explain those to you, and I hope that was easy to understand. If not, please ask me any questions you have. Other funds that we're kind of continuing to watch are the E-911 Fund, we're just going to make sure that's coming in where it needs to be so that we don't run into a deficit. I think this is the first year we've been charging salaries directly to the fund and that may be impacting the expenditures that we're showing. The Health Insurance Fund also is running with the expenses above revenues in that fund, so we're going to continue to monitor that closely and you'll be hearing more about that in the second quarter. And then I just kind of gave you an alert on the Sales Tax Refund that —, and I think you knew this when you did the budget, that the productive revenues for this sales tax money were not where the referendum initially was, which was that \$230,000,000. Now we do have other revenues in that fund. We —, but just on a quick analysis, if you look at all the revenues that have come in through October and you look at the project budgets, we're still running short about \$6,000,000, and I know management is aware of this, and we're going to be looking at what we can do with that and come back to you with an action plan.

Chairman Hair said, Commissioner McMasters and then Commissioner Rayno.

Commissioner McMasters said, thank you. Ms. Cramer, I'm so pleased that you're here with us. Ms. Cramer said, thank you. Commissioner McMasters said, and first I want to note your memo I received in the packet the other day about cell phone ambiguity and the State laws affecting that, and I sense there might need an upside or a silver lining for Chatham County down the line on that. The fact that you recognized and took the lead on it I applaud that. So thank you for recognizing that opportunity and that ambiguity and I look forward to finding out how that works out for us. Have you had a chance, I know it's only been two months, but have you had a chance to familiarize yourself at all with the general financial health of Chatham County in prior years? Ms. Cramer said, well, of course I know that there's been some issues with the fund balance and I think we're working toward strengthening that. I don't have an indication right now of coming out of the '03 year what the effect of that is because we're still in the middle of the audit, still tweaking those funds. In fact, we really have just gotten —, the auditors have really just gotten to the General Fund. They started with the smaller funds and have worked their way into that fund. Commissioner McMasters asked, and would it be a fair characterization in your opinion to say that the health —, financial health of Chatham County is improving quarter by quarter and —? Ms. Cramer said, I would hope so. Commissioner McMasters said, yeah. Okay. Going to the narrative part of your October 29th memo under General Fund/M&O, jumping down to the CAT Teleride —. Ms. Cramer said, right. Commissioner McMasters said, — section. Can you tell us why they're trending so high? Ms. Cramer said, no, I can't. I was hoping Scott [Lansing] had touched on that in his report. I believe the issue is they have a contractor and it's more based on demand than the budget that we have and I think you would have to ask Scott [Lansing] or maybe Russ [Abolt] can give you some more light on that.

County Manager Abolt said, thank you. He did send us a memo which I did send copies to the Board on the 15th of October where he talks about this graph on Teleride monthly service hours and, permit me, I'm just going to summarize it. They note heavy line on the hours in September of this year. This is a much smaller seasonal decrease than we had in the past years, and this is cause for some concern. He, they, CAT staff will monitor. As a reminder, we, CAT paid Laidlaw for the service hour, not by number of passengers. Although increased passengers will normally warrant increased service hours, we have incentives built in the 2600 hour such that Laidlaw gets a reduced hourly rate for any monthly hours over the 2600 hour limit. This is an incentive for them to schedule more efficiently passenger demand increases. You might also notice a spike in the hours in March, April and May of each of the past three years. This is why we tend to get suddenly over budget at the end of the year. That's the end of his comments, but please I know you remember that when you sat as the CAT Board, you heard testimony as to the concern that CAT staff had on Teleride and then there really was no closure to my recall as to how the County Commission wished to deal with that, and that's why Linda —, Ms. Cramer, in her report, and we have always brought to your attention that we sometimes get, and probably will get again this year, a fourth quarter surprise. So we come that —. Commissioner McMasters said, well. County Manager Abolt said, — I'm sorry. Commissioner McMasters said, that's —, and I —. Are you done? I didn't mean to step on your —. County Manager Abolt said, again, we —, see, as you know, again I don't want to be so rudimentary that it takes me —, you know so well what I'm going to say, but the contract with —, or the agreement between Chatham County M&O and CAT is that whatever the cost for Teleride, we'll pay it. So even though the trends may look good or not so good, it's not until we get that fourth quarter and then that's why we'll see, particularly if you look at past Contingency history where we've had to come up with in some cases some major dollars to make up the difference.

Commissioner McMasters said, thank you, Russ [Abolt]. I can remember distinctly in the '04 budget discussions that Scott [Lansing] and CAT projected not needing as much as the '03 budget for Teleride. I would hope, Ms. Cramer, that you would give us a huge heads up and a red flag or 9-1-1 as we move through this fiscal year if this trend doesn't reverse. We need to be very, very —, I think that's a management issue. We have to —. County Manager Abolt said, I certainly —, we will take that direction. I will also —, I will convey to Mr. Lansing because this is not reflective of anything other than the way it's happened in the past, and we sometimes become the last to know about it, and that's what I'm —, my concern. I'll communicate that verbally to Mr. Lansing. Commissioner McMasters said, that's what I'm trying to avert here through soliciting Ms. Cramer's oversight and assistance here is that we not get jammed up at the last minute with a huge cost on this, so I appreciate that.

Commissioner McMasters said, the other question that I had for you is on the utilities. You were not with us, but last year we had an RFP put out for an energy audit to effectively —. County Manager Abolt said, no sir, it was not an energy audit, it was a performance contract —. Commissioner McMasters said, I'm sorry, thank you, Russ [Abolt].

For a performance contract to —, to create an energy —, a greater energy efficiency and a savings to taxpayers, and I don't know whatever became of that. Maybe, Russ [Abolt], you could bring us up to date on that. County Manager Abolt said, yes sir. Commissioner Rayno asked the same question. I provided —, I did give copies to the entire Board. I know you've been very busy, but what we had there was a specific effort to focus in on a few of the County buildings, the Detention Center and —, I don't know. Regardless of that, there was some controversy over the RFP and at that time it was just —, there was no award given. As I mentioned in my memo to Commissioner Rayno because he asked what the status of it was, we had serious setbacks and you might remember that Mr. Lynch, our former Director of Central Services, was my institutional knowledge. He had had prior experience in that. We'd come to the Board and asked for us to be allowed to continue on a hourly basis with Mr. Lynch, and that was not approved, and that's one thing, but the second thing, the type of cuts that we've had to sustain or deal with in the Purchasing Department have made it very difficult to breathe life back into that proposal. Commissioner McMasters said, okay, I think, Russ [Abolt], this is an appropriate time to go back to that original energy performance contract, and I'd like to make a motion that we go back to SEPCO, Savannah Electric, and if they're still in agreement, that we award that —. County Manager Abolt said, oh —. I'm sorry, I apologize. Commissioner McMasters said, — for the sake of energy savings and savings to the taxpayers. If we can't work through it and process it in Purchasing, Russ [Abolt], it's a year later, it's an unfinished piece of business that portends significant savings for the County and taxpayers, and I don't see why we can't just award it. County Manager Abolt said, sir, I don't —, I don't mean to be argumentative, I don't believe you can —. Commissioner McMasters said, well, what —. County Manager Abolt said, — because this is procedural. You rejected all proposals. You shut the door there. I'd have to —, if you wish us to look at ways to breathe life into the concept of performance contract, maybe that would be the way to go now and give me some think time with the County Attorney.

Commissioner Rayno asked, can't we award a contract for professional services to whomever we want to? County Manager Abolt said, yeah, there'd have to be some solicitation for it. You have to have some aspect of competition.

Commissioner McMasters said, well, the fact that we solicited and received and rejected, can we not go back by a majority vote —? County Manager Abolt said, I do not believe so, sir. You're asking a terribly legal question, and once in all my years of experience —. Commissioner McMasters said, well, let's not belabor this today, it's been a long meeting. Get with us, Jon [Hart], on how to go back and get that in place because it's a savings, it's out there, and the only thing that's preventing us from realizing that savings for taxpayers is our jam up in Purchasing and some of the dynamics that have occurred since that. So let's get that back on track. It'll bring the better numbers for Ms. Cramer to report to us. County Manager Abolt said, also, if I may, on the utilities alone, because I want to fully expand, you might remember in the very extensive budget transmittal we gave you, during the course of budget preparation there had been a rate increase again, and we —, I think like in March or April, something like that, and we acknowledged that was a fact and it was our strategy that we knew somehow we had to deal with it, but at the point —, at that particular point we were not in the position to make that recommendation to alter the budget. But this particular dynamic, and I think you're suggestion is on line with that also, this is a creature of rate increases that came about after the preliminary budget was prepared. We had many issues we were involved in trying to balance the budget and we said we're going to have to live with the utility issue as the year progresses. Commissioner McMasters said, fine.

Commissioner McMasters said, the last thing, Ms. Cramer, I don't know if you paid attention to the County business during the last two years, but we have not increased the millage rate in over two years. We have come from a \$12,000,000 deficit to what is somewhere between a five and a \$7,000,000 surplus, and I'm just hopeful that you'll be able to continue to come forward and report on a continuing improving financial health of Chatham County. Thank you. Ms. Cramer said, I'd be glad to do that.

Vice Chairman Thomas recognized Commissioner Rayno.

Commissioner Rayno said, thank you, Madam Chairman. Ms. Cramer, I just wanted to say how refreshing it was to get a report that was lacking in error like we have gotten in the past. It was well produced and I appreciate the fact that you've accepted my questions and I'm looking forward to your responses to the many questions I've asked. The fact that you got someone from Hilton Head is a very strong, strong thing that you've done, and I think the future of the Finance Department is going to be very bright because of that, and I appreciate what you've done. I look forward to working with you, and looking through the quarterly report and seeing that the utility costs were higher suggests to me, as well as Mr. McMasters, that performance contracts for energy would be an important proactive step to curb the problem we're having with increasing energy costs and the faster that we go through that, it's important because it's going to have an affect on our budget and I'm glad that Russ [Abolt] is going to take care of that for us. But again I look forward to the responses to my questions and also look forward to the audit in December being on time where it wasn't last, but I suspect with you it will be on time. So, thank you. Ms. Cramer said, that's my goal.

Vice Chairman Thomas recognized Commissioner McMasters.

Commissioner McMasters said, I have one last question on the subject and it's not for you, Ms. Cramer, but it has to do with SPLOST finance and reporting and I ask this question for Mr. Bungard. Vice Chairman Thomas said, thank you so much, Ms. Cramer. Ms. Cramer said, thank you.

Commissioner McMasters said, hello, Al [Bungard]. County Engineer Bungard said, hey. Commissioner McMasters said, I was reviewing the minutes of our meeting of September 26th and we were having a report on SPLOST projects and developments and we came —, I posed a question to you, Al [Bungard], that I know how you answered it, but there was no audible response, so I checked with Ms. Tillman. She very dutifully checked the audio tape and I checked the

video tape and there —, you didn't give us an audible yes or no, so I'd like to clear the record up and pose the question again and get an audible response. County Engineer Bungard said, sure. Commissioner McMasters said, okay. The context of this, if you'll remember, was the fact that in SPLOST reporting certain records are in folders in your office and Mike Kaigler's got certain records with the RFP's and Finance has certain documents, and my question was whether or not in your opinion we should have a —, as a matter of fact, I asked you, "Do you see any other reason for a computerized system to be able to answer questions about where a specific project is in terms of what it was budgeted for and what the current expenses are? Do you see any other reason except for public information that that information and those records ought to be computerized and instantaneously available?" County Engineer Bungard said, I don't think I said they shouldn't be computerized because I do believe that, it's just that I didn't have those computerized records in my office. The Finance Department keeps computerized records in the financial management information system and the Purchasing Department keeps some records, but it was not —. Commissioner McMasters said, no, but the testimony was that and what we were talking about is that they weren't all interconnected or shared information so that the public or any member of staff could go to a specific SPLOST year, one, two, three, go to a specific project and find out what that project originally was bid for and what it currently has spent. And we tried to do this, you'll remember, with drainage projects in one SPLOST and your testimony was we had to do it manual collection at great length. That's the sort of thing this question goes to. We were trying to avert that, and my question was, "Do you see any other reason other than for the public's ability to know this information and have access to the information, did you see any other reason why we shouldn't have this internally for ourselves?" County Engineer Bungard said, well, saying it that way, sure, so that we can better manage the projects. Commissioner McMasters said, right. County Engineer Bungard said, so I think the answer is absolutely, just that I didn't have that information and the project cost accounting module that was in the pentamation system that's in the financial department to my knowledge was being converted over and never used, so again we don't have automated records in my department. We have individual project folders. So when I need information about a project history, I have to go to one of the two other departments to get that other than to go through my own paper copies of the contract, the change orders and —. Commissioner McMasters said, you have to recreate all that information to get the answer. County Engineer Bungard said, yes sir. Commissioner McMasters said, okay. Ms. Cramer, do you have any insight or can you share with us anything that you're doing or would like to do to solve this issue? Do you understand what I'm trying to achieve? Ms. Cramer said, well, I think there are two issues. Commissioner McMasters said, okay. Ms. Cramer said, there's a historical issue and there's a going forward issue, and we've had some discussions about this. Currently in the financial system that we have, we do have a project accounting feature where we can track projects in the system and have that data quickly available to the users of the system and it should be a pretty thorough cost of the project. In the past they did not utilize that sort of system and what they had to go to in the Finance Department were spreadsheets where any time a piece of paper came through or a check was written or a general entry was done, that data was put into a spreadsheet on that particular project, and that's what Al [Bungard] was having to go back to on some of the projects that I believe you had inquired about because there were some older projects that we had to —, he had —, we had to go in and pull it out of the spreadsheet. Commissioner McMasters said, okay. Ms. Cramer, do you know if time is going to permit, since we have projects from —, going back 18 years to SPLOST One that are not finished and that revenue is banked on, will time permit to create that back history? Ms. Cramer said, I would love to say yes. I'm all for public accountability on these projects and it's going to take some —. Commissioner McMasters said, I understand that. Ms. Cramer said, — input and we'll have to look at the system and see how we can do it. Commissioner McMasters said, okay, but —. Ms. Cramer said, and you're looking at just open projects, is that your priority? Commissioner McMasters said, my priority is, yes, open projects, unfinished projects, if that's the same definition, but my hope is, was and as manifest in this meeting of October [sic] 26th, that for this new round of SPLOST, SPLOST Four that we're just starting out on, that it be started out correctly —. Ms. Cramer said, oh, yeah. Commissioner McMasters said, — with the right software, the right accounting and the net cumulative effect as the taxpayers or staff or you can look at any given project and know is it on budget, is it over budget, is it under budget. Is that your mission currently? Ms. Cramer said, yes, we're working on that. We do have some projects already there. We need to go in and set up project budgets for the other projects in this SPLOST Four and —. Commissioner McMasters said, great. Well, just as one —, just as one vote up here I would be particularly interested if at any time you find that other things are pulling you away from that or you cannot keep up with that requisite, let us know. Ms. Cramer said, okay. Commissioner McMasters said, on a go forward basis, and then as time permits let us know how you're doing on recreating the history of one, two and three on unfinished projects. Ms. Cramer said, sure. Commissioner McMasters said, thank you so much.

Chairman Hair said, okay, thank you. Any further questions?

ACTION OF THE BOARD:

Received as information.

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X. ACTION CALENDAR

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

Chairman Hair asked, does anybody want to pull anything off the Action Calendar? If not, I'll entertain a motion to approve the balance of the Action Calendar. Commissioner Rivers said, so moved. Chairman Hair asked, second? Commissioner Murray said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion passes.

ACTION OF THE BOARD:

Commissioner Rivers moved that the Action Calendar be approved in its entirety. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.]

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

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1. APPROVAL OF THE MINUTES FOR THE PRE-MEETING AND REGULAR MEETING OF OCTOBER 24, 2003, AS MAILED.

ACTION OF THE BOARD:

Commissioner Rivers moved to approve the minutes for the pre-meeting and regular meeting of October 24, 2003, as mailed. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD OCTOBER 16 THROUGH OCTOBER 29, 2003.

ACTION OF THE BOARD:

Commissioner Rivers moved that the Finance Director is authorized to pay claims for the period October 16, 2003, through October 29, 2003, in the amount of \$5,033,016. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.]

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**3. REQUEST BOARD APPROVAL FOR THE INSTALLATION OF A STREETLIGHT AT THE INTERSECTION OF SR 204 SPUR/WHITFIELD AVENUE AND OLD WHITFIELD CONNECTOR (HENDRY AVENUE).
[DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Rivers moved to approve the installation of a streetlight at the intersection of SR 204 Spur/Whitfield Avenue and Old Whitfield Connector (Hendry Avenue). Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.]

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**4. REQUEST BOARD AUTHORIZE STAFF TO REQUEST A COUNTY CONTRACT WITH GDOT TO CONSTRUCT UNIVERSITY DRIVE RELOCATION, PHASE 2, FOR ARMSTRONG ATLANTIC STATE UNIVERSITY AND AUTHORIZE THE CHAIRMAN, COUNTY CLERK, COUNTY ENGINEER AND COUNTY ATTORNEY TO SIGN THE FORMS NECESSARY TO IMPLEMENT THE PROJECT WHICH INCLUDES THE GDOT FORM 532, A UTILITY AGREEMENT, A LOCAL GOVERNMENT PROJECT AGREEMENT AND RIGHT-OF-WAY CERTIFICATION.
[DISTRICT 6.]**

ACTION OF THE BOARD:

Commissioner Rivers moved to approve the request to authorize staff to request a County contract with GDOT to construct University Drive Relocation, Phase 2, for Armstrong Atlantic State University and authorize the Chairman, County Clerk, County Engineer and County Attorney to sign the forms necessary to implement the project which includes the GDOT Form 532, a Utility Agreement, a Local Government Project Agreement and Right-of-Way Certification. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.]

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- 5. REQUEST BOARD APPROVE A REVISED AGREEMENT WITH SAVANNAH ELECTRIC AND POWER COMPANY IN THE AMOUNT OF \$653,582 FOR RELOCATION OF ELECTRICAL LINES FOR TRUMAN PARKWAY, PHASE 3, AND TO VOID THE ORIGINAL AGREEMENT WHICH WAS APPROVED MARCH 10, 2000.
[DISTRICTS 1 AND 3.]**

ACTION OF THE BOARD:

Commissioner Rivers moved to approve a revised agreement with Savannah Electric and Power Company in the amount of \$653,582 for relocation of electrical lines for Truman Parkway, Phase 3, and to void the original agreement which was approved March 10, 2000. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.]

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- 6. REQUEST BOARD DECLARE AS SURPLUS SEVEN (7) VACANT LOTS IN THE CITY OF SAVANNAH ON WALDBURG, PARK, EAST ANDERSON, ALASKA, HABERSHAM, WEST 40TH AND EAST 39TH AND ONE VACANT LOT IN GARDEN CITY ON DAVIS, AND AUCTION THE COUNTY'S INTEREST IN THESE PROPERTIES HELD BY TAX DEED.
[DISTRICT 2-402 EAST WALDBURG STREET.]
[DISTRICT 2-304 PARK AVENUE.]
[DISTRICT 2-0 ANDERSON STREET.]
[DISTRICT 3-2332 ALASKA STREET.]
[DISTRICT 2-2010 HABERSHAM STREET.]
[DISTRICT 8-913 W. 40TH STREET.]
[DISTRICT 3-0 EAST 39TH STREET.]
[DISTRICT 8-521 DAVIS AVENUE.]**

ACTION OF THE BOARD:

Commissioner Rivers moved to approve the request to declare as surplus seven (7) vacant lots in the City of Savannah on 402 Waldburg Street (PIN 2-0044-23-008), 304 Park Avenue (PIN 2-0044-28-004), 0 East Anderson Street (PIN 2-0056-11-007), 2332 Alaska Street (PIN 2-0058-13-006), 2010 Habersham Street (PIN 2-0064-25-007), 913 West 40th Street (PIN 2-0073-23-007) and 0 East 39th Street (PIN 2-0080-07-014), and one (1) vacant lot in Garden City on 521 Davis Avenue (PIN 6-0019-06-014), and auction the County's interest in these properties held by tax deed. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.]

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- 7. REQUEST BOARD CONFIRM EXECUTION OF A \$48,658 GRANT FROM CHILDREN AND YOUTH COORDINATION COUNCIL, INCLUDING THE STATEMENT OF SUBGRANT AWARD, GENERAL CONDITIONS AND SPECIAL CONDITION.**

ACTION OF THE BOARD:

Commissioner Rivers moved to approve the request to confirm execution of a \$48,658 grant from Children and Youth Coordination Council, including the statement of Subgrant Award, General Conditions and Special Condition. Commis-

sioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.]

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8. REQUEST FOR NEW BEER POURING LICENSE FOR 2003. PETITIONER: RONALD EDWIN HALL, D/B/A RONZONI'S, LOCATED AT 7360 SKIDAWAY ROAD. [DISTRICT 3.]

ACTION OF THE BOARD:

Commissioner Rivers moved to approve the petition of Ronald Edwin Hall, d/b/a Ronzoni's, located at 7360 Skidaway Road, for a new beer pouring license for 2003. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.]

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9. REQUEST FOR NEW BEER, WINE AND LIQUOR RETAIL PACKAGE LICENSE FOR 2003. PETITIONER: TERRELL GENE NIELSEN, SR., D/B/A JEFF'S SUPER BEVERAGE, INC., LOCATED AT 5912B OGEECHEE ROAD. [DISTRICT 6.]

ACTION OF THE BOARD:

Commissioner Rivers moved to approve the request of petitioner Terrell Gene Nielsen, Sr., d/b/a Jeff's Super Beverage, Inc., located at 5912B Ogeechee Road, for a new beer, wine and liquor retail package license for 2003. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.]

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10. REQUEST BOARD ADOPT A RESOLUTION RECOMMENDING THAT THE STATE PROPERTIES COMMISSION ALLOW TWO PRIVATE UTILITIES ACCESS TO THE WESTERNMOST EASEMENT GRANTED TO CHATHAM COUNTY BENEATH THE SAVANNAH RIVER FOR THE EXTENSION OF UTILITIES TO HUTCHINSON ISLAND.

ACTION OF THE BOARD:

Commissioner Rivers moved to approve a resolution recommending that the State Properties Commission allow two (2) private utilities access to the westernmost easement granted to Chatham County beneath the Savannah River for the extension of utilities to Hutchinson Island. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.]

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

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. Rebuild of a dump truck engine	Public Works	Roberts Truck Center	\$14,099.74	SSD - Public Works
B. Declare personal property as unserviceable for further use by the County and its disposal in accordance with established policy	Purchasing	N/A	N/A	Revenue Producing

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
C. Declare personal property as unserviceable for further use by the County and its disposal in accordance with established policy	Purchasing	N/A	N/A	Revenue Producing
D. One (1) full size 2x4 long bed pickup truck	Public Works	J. C. Lewis Ford	\$18,273	SPLOST (2003-2008) - Vehicle replacement
E. Two (2) 2004 Harley Davidson police motorcycles	Police	Savannah Harley Davidson	\$23,200	Multiple Grant Fund - Police
F. Annual maintenance contract for the Computer Aided Dispatch (CAD) software system	Police	Admit Computer Services, Inc. (sole source)	\$37,529	E-911
G. Annual contract with automatic renewal options for four additional one year terms to provide pest control services	Various	Ideal Pest Control Services	\$17,020	•General Fund/M&O - Various Departments •SSD - Various Departments
H. Annual contract with automatic renewal options of two additional one year terms to provide cellular telephone service	Various	Alltell Communications of Savannah	TBD	•General Fund/M&O - Various Departments •SSD - Various Departments
I. Engineering services to provide for planning, surveying, designing and permitting of the Westlake RR Undercrossing Drainage Improvement Project	SPLOST	HDR Engineering	\$177,768	SPLOST (1998-2003) - Drainage Westlake Project
J. Contract for repair of President Street Bridge at Kayton Canal	Bridges	E & D Coatings	\$36,452	CIP - Bridges
K. Approval of Change Order No. 1 to contract for a second source of water as emergency backup with the City of Savannah	Public Works	Savannah River Utilities Company	\$7,945	Water/Sewer Fund

ACTION OF THE BOARD:

Commissioner Rivers moved to approve Items 11-A through 11-K, both inclusive. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.]

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XI. FIRST READINGS

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

None.

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XII. SECOND READINGS

- PETITIONER, PHILLIP MCCORKLE, AGENT (WILL D. HERRIN, ET.AL., OWNER) IS REQUESTING REZONING PROPERTY LOCATED ON THE SOUTH SIDE OF U.S. HIGHWAY 80 EAST APPROXIMATELY 625 FEET WEST OF BRYAN WOODS ROAD FROM A PUD-M-6 (PLANNED UNIT DEVELOPMENT MULTI-FAMILY-SIX UNITS PER NET ACRE) CLASSIFICATION TO A PUD-IS (PLANNED UNIT DEVELOPMENT-INSTITUTIONAL) CLASSIFICATION. IT IS FURTHER RECOMMENDED THAT THE ADJACENT 4.2 ACRE TRACT EAST OF THE PETITIONED TRACT BE REZONED FROM A P-I-P (PLANNED-INSTITUTIONAL-PROFESSIONAL) CLASSIFICATION TO A PUD-IS CLASSIFICATION AND AN AMENDMENT TO THE CHATHAM COUNTY FUTURE LAND USE MAP TO DESIGNATE THE PETITIONED SITE AS COMMERCIAL OFFICE. THE MPC RECOMMENDED APPROVAL.
MPC FILE NO. Z-030717-35626-1
[DISTRICT 4.]**

Chairman Hair recognized Ms. Charlotte Moore. Ms. Moore said, I don't have much to add unless there are questions. Chairman Hair said, okay. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I don't have any questions, I've just got some clarifications. At our last meeting there was quite a bit of discussion on this and how it was going to change some things and the zoning would be changing and different things. There were some agreements between the developer and some of the citizens within the Islands area and I have received a letter from Phillip McCorkle, who is the attorney representing them and he's gotten everything in there and it's exactly as I was told it was originally. I have talked with people on the Island since our last meeting and they have agreed and there's a copy of the letter where they agreed with the changes that are being made. I really do not have questions at this point. I do know that the developer and Mr. McCorkle and somebody representing the Islands group are here. So I don't know if any of them want to say anything or not, but I would move for approval of the request —. Chairman Hair asked, is there a second? Commissioner Rayno said, second. Commissioner Murray said, — based on all of these things being in that, all the agreements that y'all agreed on, and I assume that's the way it would be.

Chairman Hair recognized Ms. Marianne Heimes.

Ms. Heimes said, my name is Marianne Heimes. Just briefly, in Mr. McCorkle's letter he agreed that there would be no use of restaurants, fast food, no serving alcoholic beverages, slow food, whatever, and that's in his letter. I would just like to see that entered into the formal master plan revision and —, because 20 years down the line these things get read differently and his letter might no longer be a part of the file, I would just like that specific "no restaurants" after "no commercial pharmacy." Commissioner Murray said, I don't see how —.

Chairman Hair recognized Mr. Phillip McCorkle.

Commissioner Murray said, no, that's not in this district. I don't think there's a problem on that. Ms. Heimes said, no, I don't think so. Commissioner Murray said, from what I understand, but you decide. Ms. Heimes said, but I would just like it written.

Mr. McCorkle said, and the other thing, Mr. Murray, that I was talking to Marianne [Heimes] about, you know, there's been confusion about 30%, 25% greenspace. I don't even know where the law is now on Wilmington Island, but the General Development Plan had 25 because when I think we submitted it was 25, but if you want to make —, we promised them 30%, which is what the Islands formerly had before we got all the confusion about the Southeast Land Use Plan —. Chairman Hair said, it remains 30 anyway. It was changed back to 30. Commissioner Murray said, yes, but our petition's already in there, so if you want to mention that in the record, I told Ms. Heimes I would remind you of that.

Commissioner Murray said, okay, within this motion then we will include in the minutes, in the record, about the no restaurants and also it will be 30% greenspace. Commissioner Rayno said, I'll accept the amendment.

Chairman Hair said, accept the amendment, okay. Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, my question is these stipulations that the Islands citizens have received from Mr. McCorkle, Mr. McCorkle, are you speaking on behalf of the landowners? Mr. McCorkle said, yes, I am. Chairman Hair said, yeah, the lawyer —. Mr. McCorkle said, now one of the owners is here. I am speaking on behalf of the owners. Commissioner McMasters said, okay, well, I don't know how —, I mean, this is just a record we're making here, but could the owner stipulate to that for the record as well as his agent, Mr. McCorkle? Mr. Will Herrin said, yeah, I'm Will D. Herrin and I asked Phillip [McCorkle] to write that letter so that's what we agree to. Commissioner McMasters said, excellent. Thank you for working with the community, sir.

Chairman Hair said, thank you, Mr. Herrin. Thank you, Mr. McCorkle. Okay, we have a motion and second. Commissioner Rivers said, call the question. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.] Chairman Hair said, the motion passes.

ACTION OF THE BOARD:

Commissioner Murray moved to approve the petition of Phillip McCorkle, Agent for Will D. Herrin, et al, owner, requesting the rezoning of property located on the Southside of U. S. Highway 80 East approximately 625 feet west of Bryan Woods Road from a PUD-M-6 (Planned Unit Development Multi-Family-6 Units Per Net Acre) classification to a PUD-IS (Planned Unit Development-Institutional) classification and approve that the adjacent 4.2 acre tract east of the petitioned tract be rezoned from a P-I-P (Planned-Institutional-Professional) classification to a PUD-IS classification and an amendment to the Chatham County Future Land Use Map to designate the petitioned site as Commercial Office with the stipulation that these zoning classifications will specify "no restaurants" and will provide for 30% greenspace. Commissioner Rayno seconded the motion and it carried unanimously. [NOTE: Commissioners Odell and Kicklighter were not present when this vote was taken.]

October 30, 2003

Commissioner Frank G. Murray
District 4
Chatham County Commission
P. O. Box 8161
Savannah, Georgia 31412

Re: Petition for Rezoning and Master Plan Approval for the Bryan Woods Professional Center; MPC File No. Z-030717-35626-1

Dear Frank:

As promised, this letter is intended to provide you with information on how we got to where we are today. Billy Herrin and others own a tract of land at the southwest corner of Bryan Woods Road and U. S. Highway 80. The tract is seventeen acres, four acres in the corner being zoned PIP (Institutional Professional) with the remaining portion being zoned PUD-M-6 (Multi-Family). Mr. Herrin felt like the Islands community needed an area for professional and general office use. He approached the Islands Citizens for Logical Growth to get their thoughts on the idea. Mr. Herrin's suggestion was well received, particularly since he was willing to down zone the four acres on the corner from PIP to PUD-IS (Planned Unit Development - Institutional). By giving up the PIP, Mr. Herrin would be giving up the right to a broad range of uses, including restaurant sites, both fast food restaurants and those serving alcoholic beverages. Another point of contention was the Islands Group's desire to avoid a 10,000 foot grocery store on that corner like a CVS, Eckerd or Walgreens. Mr. Herrin agreed that the only type of pharmacy would be something in the nature of a prescription shop.

With this understanding in hand, Mr. Herrin directed me to petition to rezone the entire site to PUD-IS. We also submitted a Master Plan at the same time. The Islands Citizens for Logical Growth sent a letter to the MPC on July 31, 2003 supporting the petitions, a copy of that letter is attached.

We received a unanimous recommendation for approval of the rezoning and also received an approval of the Master Plan. Approval of the Master Plan is specifically conditioned upon the site being rezoned by the Chatham County Board of Commissioners. I am enclosing a copy of the decision on the Master Plan. Please note paragraph 8 in the decisions which limits the type of pharmacy that can be located on the site. Ms. Heimes' other expressed concerns have been handled by rezoning the entire site, reducing the type of activities by down zoning the PIP to PUD-IS, (thereby eliminating restaurants), and providing sufficient buffers. The Master Plan was also approved unanimously.

A portion of the Master Plan approval was the requirement that an updated traffic study be accomplished. We have obtained the new traffic study which has been reviewed by the Chatham County Traffic Engineer. To my knowledge, the traffic study has been approved with some suggested improvements to turning lanes on Bryan Woods Road, etc.

We view this as in the best interest of the Islands Community. We believe the Islands Citizens for Logical Growth agrees. At the MPC meeting, the spokesperson for the Islands Citizens for Logical Growth endorsed both the rezoning and the Master Plan.

If you have any additional questions, please let me know.

Sincerely yours,

McCORKLE, PEDIGO & JOHNSON, LLP

Phillip R. McCorkle
Attorney at Law
PRM:tlm
Enclosures

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July 31, 2003

Mrs. Helen Stone
Chairman, MPC
110 East State Street
Savannah, GA 31401

Dear Ms. Stone and Commissioners:

The 17.9 acres at the corner of Bryan Woods Road and Highway 80 has long been a bone of contention on the Islands. Attempts to rezone it to commercial use have been hard fought.

I am pleased to tell you that a compromise has been made. After meetings with Mr. Billy Herrin, our group has agreed to support his rezoning of the property from P-I-P and MF-6 to IS-B. We do, however, ask the following concessions and Mr. Herrin has graciously accepted them.

1. The entire 17.9 acres will be rezoned to IS-B.
2. No commercial activities, including restaurants of any kind, will be allowed.
3. The only pharmacy allowed will be a true pharmacy without retail sales like the Prescription Shop. Stores such as Eckerd's, CVS, Walgreen's etc. will not be allowed.
4. Buffering will be increased where possible.

As long as these requirements are included we wholeheartedly support the rezoning.

Sincerely,

Marianne Heimes, Director

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XIII. INFORMATION CALENDAR

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

ACTION OF THE BOARD:

A written report was received as information.

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- 2. LIST OF PURCHASING ITEMS BETWEEN \$2,500 AND \$9,999. *Note: None for this meeting.*

ACTION OF THE BOARD:

No report was presented for this meeting.

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- 3. INFORMATION REGARDING TWO CRITICAL CAPITAL PROJECTS DURING THE YEARS 2006-2007.

ACTION OF THE BOARD:

A written report was received as information.

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

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ADJOURNMENT

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 2:10 p.m.

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APPROVED: THIS _____ DAY OF _____, 2003

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

SYBIL E. TILLMAN, COUNTY CLERK