



SAVANNAH HISTORIC DISTRICT
BOARD OF REVIEW

Jerry Surrency Meeting Room
June 12, 2013 at 12:00pm
Meeting Minutes

JUNE 12, 2013 HISTORIC DISTRICT BOARD OF REVIEW SPECIAL CALLED MEETING

HDRB Members Present: Linda Ramsay, Chair
Ebony Simpson, Vice Chair
Zena McClain, Esq., Parliamentarian
Reed Engle
Dr. Nicholas Henry
Keith Howington
T. Jerry Lominack
Stephen Merriman, Jr.
Marjorie Weibe-Reed

HDRB Member Not Present: Robin Williams, Ph.D

MPC Staff Present: Tom Thomson, Executive Director
Ellen Harris, Director of Urban Planning and Historic Preservation
Leah G. Michalak, Historic Preservation Planner
Mary E. Mitchell, Administrative Assistant

City of Savannah Staff Present: W. Brooks Stillwell, City Attorney

I. CALL TO ORDER AND WELCOME

II. APPROVAL OF MINUTES

III. SIGN POSTING

IV. CONTINUED AGENDA

V. CONSENT AGENDA

VI. ITEM(S) REQUESTED TO BE REMOVED FROM THE FINAL AGENDA

VII. REGULAR AGENDA

VIII. REQUEST FOR EXTENSIONS

IX. APPROVED STAFF REVIEWS

X. WORK PERFORMED WITHOUT A CERTIFICATE OF APPROPRIATENESS

XI. REPORT ON ITEMS DEFERRED TO STAFF

XII. NOTICES, PROCLAMATIONS, and ACKNOWLEDGEMENTS

XIII. OTHER BUSINESS

Unfinished Business

1. [Proposed amendment to the By-laws, Article VI, Section G](#)

Attachment: [Proposed Bylaw amendment - Conflict of Interest.pdf](#)

Attachment: [HDBR MINUTES 03-12-08.pdf](#)

Attachment: [GA Trust and Reap input - 041713.pdf](#)

Attachment: [Thomson Stillwell HDBR Conflict 032913.pdf](#)

Attachment: [Thomson ltr -Historic Review Board Recusal 3-13-13.pdf](#)

Attachment: [GAPC Chair input 031113.pdf](#)

Attachment: [CLG Coordinator input 031113.pdf](#)

Attachment: [Ward Hughes AIA Savannah HDBR Bylaws 050213.pdf](#)

Attachment: [HDBR Engle Bylaws Amendment 050713.pdf](#)

Attachment: [GMA Ethics statement highlighted - Uploaded 060613.pdf](#)

Ms. Ramsay called the Special Called Meeting to order at 12:20 p.m. She explained the reason the Board was having the Special Called Meeting. She said that the Board has had discussions at great length concerning Board member recusal and participation in representing a client.

Ms. Ramsay explained that at their May 8, 2013, a motion was made, seconded, and unanimously carried to table the discussion of the amendment to the By-laws until the Board had an opportunity to talk with the City Attorney about this issue.

City Attorney Brooks Stillwell said there is no conflict of interest for architects to vote on change. He said because the current By-laws specifically precludes this, an amendment must be made if the Board wants this to be changed. He said that the Georgia Constitution prohibits (on Board) lawyers from representing anyone, which precludes "the kind of people you want from serving in public office."

City Attorney Stillwell said the historic trend for the last 30 years bends toward "higher ethics." He said he does not believe that the wording of the proposed amendment is enforceable. Therefore, if the Board decides they want this, he would assist in writing an amendment that is more defensible. He said, however, if the decision is not to allow a Board member to make the

presentation and not vote on it, then leave the amendment "as is."

Dr. Henry said he believes the issues would still be the same with the courts.

Ms. McClain said she believes this would be problematic. She said the Board needs to take a thorough review on how what they do will be perceived by the public. They are "public servants" and they need to operate above board. They don't want people to come in and label them as a being self-serving individuals in this Board just to further their own financial interest.

Mr. Engle said it is a conflict as the architect has a financial stake in the project. He said if the ordinance is changed, it would be very advantageous for people to sit on this Board. The Board must be beyond reproach.

Mr. Lominack said if he tells a client that he will do their project, but cannot present the project and there are two equally qualified persons talking with the prospective client, they will not use him. For the By-laws to selectively discriminate against certain people is real bothersome.

Mr. Merriman said he understood what Mr. Lominack said, but, he too, agrees that the Board has to be beyond reproach.

Dr. Henry said the Board does not want to discourage people from being on the Board, but they must uphold the ethics aspect.

Board Action:

Approval that the proposed amendment to the By-laws, Article VI, tabled at the meeting of May 8, 2013 be un-tabled for discussion. - PASS

Vote Results

Motion: T. Jerry Lominack

Second: Keith Howington

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Marjorie W Reed	- Aye
Ebony Simpson	- Aye

Board Action:

Approval to consider other language for the proposed amendment to the By-laws, Article VI, Section G. - FAIL

Vote Results

Motion: Keith Howington
Second: T. Jerry Lominack

Reed Engle	- Nay
Nicholas Henry	- Nay
Keith Howington	- Aye
T. Jerry Lominack	- Aye
Zena McClain, Esq.	- Nay
Stephen Glenn Merriman, Jr.	- Nay
Linda Ramsay	- Abstain
Marjorie W Reed	- Aye
Ebony Simpson	- Nay

Board Action:

Approval to keep the By-laws, Article VI, Section G "as is." - PASS

Vote Results

Motion: Ebony Simpson
Second: Zena McClain, Esq.

Reed Engle	- Aye
Nicholas Henry	- Aye
Keith Howington	- Nay
T. Jerry Lominack	- Nay
Zena McClain, Esq.	- Aye
Stephen Glenn Merriman, Jr.	- Aye
Linda Ramsay	- Abstain
Marjorie W Reed	- Nay
Ebony Simpson	- Aye

XIV. ADJOURNMENT

2. Adjourned.

There being no further business to come before the Historic District Board of Review, Ms. Ramsey adjourned the Special Called Meeting at 1:00 p.m.

Respectfully Submitted,

Ellen I. Harris
Director of Urban Planning and Historic Preservation

EIH:mem

The Chatham County - Savannah Metropolitan Planning Commission provides meeting summary minutes which are adopted by the respective Board. Verbatim transcripts of minutes are the responsibility of the interested party.