

January 4, 1994
Statesboro, Georgia

The Board met at 8:30 A.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present. Commissioner Alston and Commissioner Simmons were absent.

Chairman Anderson called the meeting to order, welcoming the news media and six visitors. Commissioner Lee gave the invocation.

Minutes of the regular meeting on December 21, 1993 and minutes of Executive Session on December 21, 1993 were reviewed. Upon motion by Commissioner Hodges, seconded by Commissioner Smith and carried, minutes of these two meetings were approved as distributed.

According to agenda no action was needed for old business. Chairman Anderson asked if there was any old business for discussion. Mr. Wood updated Board on mobile home decal verification, saying lists from two of the three power companies have been received. This one from Georgia Power should be received shortly and these lists will be compared and compiled with county's list after which mobile home decals will be checked.

Commissioner Lee asked status of appointments for Recreation Board. Chairman Anderson advised change in number of Board members has been discussed with city attorney and county attorney, both have said number needs to be left at nine members rather than changed to eleven. He said some Commissioners have presented names for potential members. He said Board appointments to made will not take effect until July 1st because terms are not being changed but one person has asked to be replaced and that one appointment needs to be made now to take effect immediately. He commented Mr. Edwin Hill would like appointments to be made in February or March to provide orientation for new members prior to July 1st.

Before going into new business Chairman Anderson recognized Susan Hill to make announcement of special program. Ms. Hill introduced "Chipper", mascot, promoting Christmas tree recycling program. Ms. Hill said Bulloch County, Georgia Power and other businesses in the county were sponsoring Christmas tree recycling on Saturday, January 8th, from 9:00 A.M. until 12:00 noon in downtown parking lot.

For new business Chairman Anderson recognized Councilman Charles Brown and City Planner Joe Mosely. Mr. Brown spoke about cooperation between the city and county on several joint projects. He said he wanted to discuss two other issues where the city and county have a common interest. He presented a draft of resolution regarding the new perimeter road and said the same resolution was being presented to City Council today. This resolution called for the two governments to jointly formulate a long term landscaping plan for the perimeter road, name a citizens committee to select a name, subject to ratification, for the road, restriction of signage along the road and the City Engineering Department be responsible for coordinating these activities with the Department of Transportation. He said modest contributions from the City and County will be needed over a number of years for this project.

Commissioner Smith offered a motion to adopt resolution as presented by Mr. Brown. Commissioner Hodges seconded the motion. In discussion Commissioner Lee asked description of modest contribution. Mr. Brown said he hoped planning could be done through Cooperative Extension Service at minimal cost with project being done over four or five year period but didn't have specific amount at this time. Motion adopting Resolution for perimeter road project was carried. See exhibit #1994-1.

Mr. Brown said the second item for discussion was Whitesville planning. He asked Mr. Mosely to explain areas of need in Whitesville. Mr. Mosely presented a video of Whitesville showing areas of inadequate plumbing, inadequate drainage, trash dumps, abandon vehicles, abandon structures and other problem areas.

Mr. Brown presented list of suggested steps for improvements in areas of clean-up, drainage, water and sewer and said county's assistance would be requested in some instances. He said county's assistance was needed in demolishing abandoned structures which cannot be rehabilitated, removal of abandoned vehicles and also in implementation of drainage plan. Mr. Brown said no specific request was being made today, just asking some awareness in the county's long term planning that these requests would be made at some time in future.

Chairman Anderson said county was very sympathetic to these needs and he was sad to say there were a lot of areas in county which are as bad or worse.

Commissioner Lee said he was very sympathetic to this challenge but to commit a lot resources would, frankly, go against wishes of a lot citizens in the community.

Chairman Anderson repeated the county was sympathetic and wanted to help and said the county enjoyed its relationship with the city and hoped it would be stronger in the future.

Chairman Anderson asked for other business. Commissioner Beacham said one item of old business which he wanted to address was zoning. He said the committee had hoped zoning would be presented at this meeting but the task is larger than anticipated. He remarked having not met the set deadline was not good and no new deadline has been set for completion. He said everything is in place, just needs to be refined. He said process is continuing and committee still invites public input.

Chairman Anderson presented a letter from Mr. Earle Cummings concerning members of Commission on Human Services. He said members of this Commission serve based on their offices in various agencies and advise Commissioner Simmons represents Commissioners on this Commission. He said some members were changing due to changes in offices. Mr. Wood remarked this Commission was merely an advisory, networking group, it has no constitutional authority, just brings these social service agencies together.

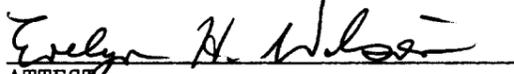
Commissioner Hodges offered a motion to approve members of Human Service Commission. Commissioner Beacham seconded the motion and it carried.

Chairman Anderson asked for other business or comments. Mr. Wood advised transactions for purchase of properties for Courthouse Judicial Annex on Siebald Street had all been closed except one. This last one should be closed shortly.

Mr. Bill Akers asked to address the Board and made several points. The main points being bureaucratic growth in all phases of government, more local promotion of agriculture and agricultural products, review and action on Grand Jury reports in 1986 and 1989 concerning county workcamp.

Chairman Anderson advised an Executive Session was needed to discuss a personnel matter. Upon motion by Commissioner Hodges, seconded by Commissioner Smith and carried, regular session was moved into Executive Session to discuss personnel matter.

Chairman Anderson reconvened regular session and asked for other business or comments. Upon motion by Commissioner Hodges, seconded by Commissioner Beacham and carried, meeting was adjourned subject to call.


ATTEST


E. Raybon Anderson

January 18, 1994
Statesboro, Georgia

The Board met at 8:30 A.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order, welcoming the news media and nine visitors. Commissioner Smith gave the invocation.

Minutes of the regular meeting on January 4, 1994, and minutes of Executive Session on January 4, 1994 were reviewed. Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, minutes of these two meetings were approved as distributed.

For first item of old business Chairman Anderson called on Tax Commissioner Carlene Johnson to give delinquent tax report. Ms. Johnson presented computer listing of unpaid taxes and a list of parcels advertised for sale in February. List showed seventeen parcels were originally advertised and Ms. Johnson advised that collections had been excellent with taxes paid on all parcels except two parcels belonging to one person. She remarked volunteer tax payment of 1993 taxes had been very good with \$2,850,000 collected as of Friday, January 14th.

Chairman Anderson asked if \$2,850,000 was half of taxes due for 1993. Ms. Johnson said no, this wasn't quite half, a little less than half. Commissioner Hodges said this was better than expected. Ms. Johnson said it was better than she had expected and very few of larger taxpayers paid. She added, according to Tax Assessors, appeal process was going well and digest would be taken to Atlanta the minute it is ready.

Commissioner Lee asked when tax notices would be sent. Ms. Johnson said they were planning on March 1st, earlier if possible, March 1st would mean a due date of May 1st.

Chairman Anderson asked if there was a Deputy Tax Commissioner now in that office. Ms. Johnson said no, not officially, she wanted to be sure that decision was the right one.

Commissioners thanked Ms. Johnson for her report.

Next item of old business was Recreation Department Board appointment. Chairman Anderson said this appointment was to replace Charles Stokes who had resigned. He stated name of Mr. Ray Davis had been presented to fill this position and said this appointment was open for discussion.

Commissioner Smith offered a motion to appoint Ray Davis to fill position held by Mr. Stokes on Recreation Board. Commissioner Alston seconded the motion. In discussion Commissioner Alston said this was to fill Mr. Stokes's unexpired term. Chairman Anderson said that was correct and four other appointments would need to be filled by July 1st. Motion appointing Mr. Ray Davis to fill unexpired term on Recreation Board was carried.

Chairman Anderson asked Public Safety Director Ted Wynn to handle the next item, bid results and recommendations for new ambulance. Mr. Wynn advised \$42,000 was budgeted for purchase of an ambulance which was originally bid in June and again in September with low bid of \$36,100 from Unlimited Mobility. He said because of situation with tax collections purchase was postponed but, as funds begin to be collected, County Manager asked that low bidder be contacted to see if bid would remain the same. He remarked that Unlimited Mobility said this price was for '93 Ford chassis which was no longer available so would have to purchase '94 chassis with slight increase of \$2166 but they would split this difference, making total price \$37,183. Mr. Wynn commented this amount was still the low bid with other bids of First Response - \$38,523.45; Wheeled Coach - \$39,737; Southern Ambulance - \$41,067. He recommended purchase of ambulance from Unlimited Mobility at cost of \$37,183.

Commissioner Hodges offered a motion to accept bid of \$37,183 from Unlimited Mobility. Commissioner Smith seconded the motion. In discussion Chairman Anderson said order date and payment date should be negotiated to make sure funds were available. Commissioner Lee asked what year model ambulance was being replaced. Mr. Wynn advised this replaced a 1980 ambulance with well over \$100,000 miles which was one of the old box type ambulance which wasn't as functional as the newer ones. Motion to accept bid of \$37,183 from Unlimited Mobility for ambulance was carried subject to negotiation of payment date.

Chairman Anderson commented an item which failed to be put on the agenda was bids and recommendations for rescue truck. He asked Mr. Wynn to present this information. Mr. Wynn remarked the present rescue truck was about fifteen years old and bid specifications were complied for Ford F350 diesel with rescue body which should give more reliable response. He gave bids results of \$77,149 - E-one; \$66,409 - Southern Municipal Fire Products; \$61,000 - Unlimited Mobility. He said call volume was increasing and he recommended purchase of rescue truck from Unlimited Mobility at \$61,000.

Commissioner Beacham said this was 50 percent more than same size truck as ambulance, what's the difference. Mr. Wynn explained it was a slightly heavier duty truck and most boxes for ambulances were prefab but boxes for rescue trucks have to be built, boxes are heated to keep equipment warm, more of a speciality item.

Commissioner Hodges said funds for this purchase would come from the previous one percent sales tax. Chairman Anderson answered that was correct, from money allocated for fire and rescue in previous one percent sale tax.

Commissioner Hodges offered a motion to accept bid for rescue truck of \$61,000 from Unlimited Mobility. Commissioner Beacham seconded the motion. Commissioner Alston asked when could specification be reviewed. Chairman Anderson said specifications were in County Manager's office and he had been assured by County Manager and Public Safety Director that they were in order. He said they could be reviewed before any action if desired. Commissioner Alston said when specification are too voluminous to mail he would like to be put on notice to come by and review before purchase is presented for action. Commissioner Lee asked if this amount of \$61,000 could be applied to building if truck is not purchased. Chairman Anderson replied funds from previous sales tax could not be put into building. Motion to purchase rescue truck from Unlimited Mobility at bid of \$61,000 was carried with Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Smith voting in favor of motion, Commissioner Lee voting to oppose motion.

Chairman Anderson asked for other old business. Commissioner Beacham commented the Zoning Committee was still making progress and hoping for March - April completion. He said public input is still invited.

First item of new business was Sign Ordinance for perimeter road. Chairman Anderson asked County Attorney Jimmy Franklin if this Ordinance could be adopted today or if it required a first reading.

Mr. Franklin said this Ordinance doesn't affect an amendment to local State Statue and wouldn't require two readings. He continued since he was contacted on Thursday by the County

Engineer he had been in contact with the City Attorney and reviewed the City Sign Ordinance. He said the City's existing sign ordinance covers a number of these areas but it was adopted under their Comprehensive Zoning Plan. He added the State has a Sign Statute placing certain restrictions and limitations on signs on state highways and that power has been construed by Georgia Supreme Court as being given to the Department of Transportation and Legislature by the 1983 Constitutional Amendment. But where does that leave the county, the county doesn't have a comprehensive zoning plan and he had attempted to contact the State Attorney General Office to discuss the Ordinance prior to the meeting but the office was closed. Mr. Franklin said the question is whether the county is getting into spot zoning without a comprehensive zoning plan, generally can't zone one piece of property or one category of property at a time. He stated, with those reservations, he couldn't assure Ordinance may not be subject to attack by property owner or someone with financial interest as being a taking of property without due process.

Commissioner Hodges offered a motion to table action on Sign Ordinance for perimeter road until County Attorney has time for more research.

Chairman Anderson said City was taking action today and recalled Resolution adopted at last meeting calling for this action.

Commissioner Hodges said this Ordinance pertains just to perimeter. Commissioner Smith remarked if have Ordinance on perimeter road what would preclude county from having it on all state and county roads. Commissioner Hodges said that was his question.

Mr. Franklin said that's where the county is vulnerable, if have Ordinance on perimeter road but not on other roads.

Commissioner Smith said he would like for Ordinance to be enacted for all roads in the county and if have to make changes later, at least have something in place to prevent haphazard development of signs along newer roads.

Commissioner Beacham commented the Zoning Ordinance has some strong language for signs, but this Ordinance carries it a little further on perimeter road. He said his suggestion was not to table but to adopt the Ordinance and ask Zoning Committee to incorporate it into the Zoning Ordinance to extent necessary.

Commissioner Hodges said he agreed a Sign Ordinance is needed but he thought County Attorney needs to be make sure the right Ordinance is enacted and it complies with Zoning and applies to all the county.

Chairman Anderson asked if there was a second to Commissioner Hodges's motion to table action on Sign Ordinance on perimeter road. Commissioner Alston seconded the motion and it was carried with Commissioner Alston, Commissioner Simmons, Commissioner Hodges, Commissioner voting in favor of motion, Commissioner Beacham and Commissioner Smith voting to oppose motion.

Action on Sign Ordinance for perimeter road was tabled. However, Board agreed that a Sign Ordinance was to be ready for the next meeting.

Next items were Department of Transportation contracts. Chairman Anderson presented contract for parking lot for Georgia Forestry Commission in the amount of \$4,695.65. He commented anything over contract would be paid by Forestry Commission. He also presented contract for pipe replacement on County Road #220 at Little Lotts Creek in the amount of \$58,304.85.

Upon motion by Commissioner Hodges, seconded by Commissioner Alston and carried, contracts with Department of Transportation for parking lot for Georgia Forestry Commission and pipe replacement on county road #220 were approved.

Chairman Anderson asked Building Inspector Jimmy Dodgen to present next item, property deed for Ms. Connie F. Hayes. Mr. Dodgen explained Mr. & Mrs. Hayes had developed property on River Road and had a sale for property where the purchaser requested them to extend the road which is a county accepted dirt road. They did extend the road with cul-de-sac at the end and deeded it to the county. He continued the anticipated purchase did not occur and now they want to shorten the road back to where it originally ended and are asking the county to give them that section back. He remarked they will provide necessary property for cul-de-sac and will complete cul-de-sac construction which will be approved by County Engineer before accepted. He said the Planning Commission has no problem with this request, this is the way it was approved by Planning Commission in the beginning. He added there should be no cost incurred by the County.

Chairman Anderson said if this request is approved, he would ask for authority to execute deed subject to them building new cul-de-sac and it being accepted.

Upon motion by Commissioner Smith, seconded by Commissioner Beacham and carried, deeding this portion of road, as outlined, back to Connie Hayes was approved subject to all construction completed and accepted.

Chairman Anderson said next item, road closing of county road #173, had been postponed until next meeting by request of County Engineer.

Chairman Anderson presented an on-premise Beer and Wine License Renewal Application for Veasey Creasy for Moose Lodge. It was noted that Sheriff Akins had approved this application. Upon motion by Commissioner Alston, seconded by Commissioner Simmons and carried, on-premise Beer and Wine License Renewal Application for Veasey Creasy for Moose Lodge was approved.

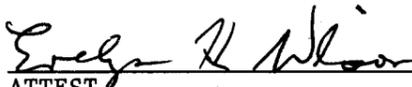
Chairman Anderson said a letter was received from Probate Judge Lee Deloach requesting the Board decision prior to February 1st for setting qualifying fees for elections held this year.

Upon motion by Commissioner Beacham, seconded by Commissioner Hodges and carried, qualifying fees for elections held for 1994 were set at 3 percent of annual salary of the elected office.

Chairman Anderson asked for other business or comments. Mr. Franklin said he needed to discuss pending litigation with the Board.

Upon motion by Commissioner Alston seconded by Commissioner Hodges and carried, meeting was moved into Executive Session for discussion of pending litigation.

Regular meeting was reconvened. Chairman Anderson asked for other business or comments. Upon motion by Commissioner Hodges, seconded by Commissioner Beacham and carried, meeting was adjourned subject to call.


ATTEST


E. Raybon Anderson

January 21, 1994
Statesboro, Georgia

Called Meeting

The Board met at 12:00 P.M. in the Conference Room of the North Main Annex for a called meeting with Chairman Anderson, Commissioner Simmons, Commissioner Lee, Commissioner Beacham, Commissioner Smith and Commissioner Alston present. Commissioner Hodges was absent.

Chairman Anderson called the meeting to order and announced the purpose of this meeting was discussion of a personnel matter which required an Executive Session.

Upon motion by Commissioner Smith, seconded by Commissioner Beacham and carried, meeting was moved into Executive Session for discussion of a personnel matter.

Regular meeting was reconvened. Chairman Anderson asked for further business or discussion. Upon motion by Commissioner Simmons, seconded by Commissioner Smith and carried, meeting was adjourned subject to call.


ATTEST


E. Raybon Anderson

February 1, 1994
Statesboro, Georgia

The Board met at 6:00 P.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges and Commissioner Lee present. Commissioner Smith was absent.

Chairman Anderson called the meeting to order and welcomed the news media and ten visitors. Commissioner Alston gave the invocation.

Minutes of regular meeting on January 18, 1994, minutes of Executive Session on January 18, 1994, minutes of called meeting on January 21, 1994 and Executive Session on January 21, 1994 were reviewed. Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, minutes of these four meetings were approved as distributed.

Sign Ordinance was first item of old business. Chairman Anderson said this Ordinance was discussed in the previous meeting and tabled pending more research by County Attorney. He added revised draft had been provided and asked Mr. Franklin to comment. Mr. Franklin said the only changes he made were the enactment provisions, the Ordinance was drafted by Kirk Tatum, County Engineer. He added, after concurring with Attorney General's Office, he recommended not trying to

address signs throughout the county, handle county wide signs with Comprehensive Zoning Ordinance.

Commissioner Lee asked what type signs were permitted under the Ordinance. Mr. Tatum said, basically, it limited advertising to business located on the perimeter, i.e., hotel downtown cannot advertise on perimeter.

Mr. Franklin recalled the comments he made last meeting and said his opinion has not changed, there was a question of whether this falls in the purview of police powers of the local government.

Commissioner Beacham said the Ordinance didn't prohibit signs being erected, just required reasonable signs be erected. He added ultimately the courts could pursue to overrule it, but he thought should make the effort to try restrict signs on the perimeter road.

Commissioner Beacham offered a motion to adopt the Sign Ordinance as drafted. Commissioner Lee seconded the motion and it carried. See exhibit #1994-2

Health Board appointment was next item of old business. Chairman Anderson said Board was made aware of this vacancy in a previous meeting. He continued this position had to be filled by a physician and the Health Board recommended the appointment of Dr. Seven Gottlieb, Chief of Staff at Bulloch Memorial. He stated Dr. Gottlieb was willing to serve if appointed.

Upon motion by Commissioner Hodges, seconded by Commissioner Alston and carried, Dr. Stevn Gottlieb was appointed to serve on Health Board.

Chairman Anderson asked for other old business. Commissioner Beacham commented he realized the job Mr. Tatum and Warden Akins were doing, but there were still problems on roads entering into Old River Road. Commissioner Anderson said Warden Akins had crews out on Old River Road helping people, school buses, mail carriers, doing everything they could to help.

Mr. Wood gave update on mobile home decal project, saying all lists have been obtained from power companies, Tax Commissioner and Tax Assessor. He continued these list will be merged for working list to identify unpaid mobile home taxes.

Moving into new business, Chairman Anderson presented job description and contract for staff attorney. He said this was provided to Board last week with cover letter from him asking it be reviewed and any changes or suggestions to be submitted. He added there were some suggested changes which have incorporated in final draft. He asked for discussion on this topic.

Commissioner Lee asked Mr. Franklin if this contract was comparable to contract used by other counties who utilized staff attorneys. He said the county attorney and staff attorney would have to work together, would this provided a workable situation.

Mr. Franklin said this is first time he had seen latest draft. He remarked he had seen only one other contract which was from Floyd County which makes staff attorney directly responsible to county attorney. He said he had discussed with legal staff of ACCG and with Henry Huettner of Fisher & Phillips. He continued Mr. Huettner strongly recommended the staff attorney be answerable to the county attorney and ACCG, while they didn't know what every county was doing, felt that was probably the better relationship. He added his recommendation was the staff attorney be answerable for final approval of any document, ordinances, contracts, etc. go through county attorney before submitted to Board and also be answerable to county attorney for anything in litigation or has the potential for litigation. He said he thought this was the better approach, adding this didn't have anything to do with present County Manager or present County Attorney, that is better way for number of reasons.

Referencing the job description, Commissioner Lee said the staff attorney would be responsible for giving legal advise at Board meetings and only time county attorney would be involved would be for litigation.

Chairman Anderson remarked he thought the agenda for meetings should be reviewed and if there is a dim possiblity county attorney's advise will be needed on any item, then he would be asked to attend.

Commissioner Alston comment if Board was in meeting not attended by county attorney and a subject came up, that didn't mean that business cannot be deferred to the county attorney. He added if this job description and contract is approved and person is hired, Board can amend job description and contract if it's not working.

Commissioner Lee commented, from previous discussion, everyone knew what his position was, everyone knew he was opposed to it but he was willing to work it and hope it was a workable situation and go from here.

Commissioner Simmons offered a motion to accept job description and contract for staff attorney. Commissioner Alston seconded the motion and it was unanimously carried. See exhibit #1994-3

Chairman Anderson asked Mr. Tatum to present next item, road closing of county road #173. Mr. Tatum explained a request was received to close a short dead-end road in New Hope Community. He added there were only two property owners involved and they wanted the road closed. He continued property owners were notified of consideration of closing of this road at this meeting by certified

mail. He said there was a boundary survey showing people who requested road be closed owned both sides of road.

Commissioner Hodges offered a motion to close county road #173. Commissioner Alston seconded the motion and it carried,

Chairman Anderson commented, on subject of road closing, several years ago road #79 was closed, this road is northwest of Portal. He added a group of citizens are saying the road was illegally closed and have requested this decision be reconsidered.

Commissioner Hodges asked if these citizens owned property on the road. Chairman Anderson replied they own property in the pond, own the dam and the mill house and they claim they don't have access to their property. They are going through private property which is 4-wheel drive only. He remarked this was being presented for Board's information.

Chairman Anderson said next item was a Solid Waste Committee report but Bob Smith was not present due to his wife's illness and this would be carried over to the next meeting.

Chairman Anderson said next item of business was to name replacement for Solid Waste Committee member, Tom Bigwood, who resigned. He said the Committee recommended Ms. Chuck (Lynn) Lee replace Mr. Bigwood.

Commissioner Alston asked if Ms. Lee had been contacted. Mr. Wood replied, yes, that was his understanding from Mr. Smith.

Upon motion by Commissioner Alston, seconded by Commissioner Beacham and carried, Ms. Lynn Lee was appointed to Solid Waste Committee provided she will accept the appointment.

For next item, Chairman Anderson presented request from Tri-Circuit Drug Task Force for appropriation of \$300. as part of cash match for grant request for building improvements. He remarked Mr. Wood had talked with Sheriff Akins concerning this request and it was the Sheriff's request it be approved.

Commissioner Hodges asked if this building was owned by Evans County. Chairman Anderson said, yes, it was their building.

Upon motion by Commissioner Hodges, seconded by Commissioner Beacham and carried, appropriation of \$300 to Tri-Circuit Drug Task Force was approved.

Chairman Anderson said he had been advised February was designated as American History Month and had been requested to sign Proclamation declaring February as American History Month, in Bulloch County.

Upon motion by Commissioner Hodges, seconded by Commissioner Lee and carried, Proclamation declaring February as American History Month in Bulloch County was approved.

Chairman Anderson said this concluded items on the agenda but there was other business to be considered. He recognized Mr. Bobby Simmons.

Mr. Simmons introduced members of special committee of NAACP who were present to make a request to Board. He asked Ms. Judy Childers, secretary, to present their request. Ms. Childers read the request which asked the highway by-pass be named Martin Luther King Boulevard after Reverend, Doctor Martin Luther King, Jr.

Chairman Anderson said probably need to appoint a committee for naming perimeter jointly with City because City does abutt this road in several places. He asked the Board to be considering this for the next meeting, this was just a suggestio. He added nthis had been the Board's policy in the past, anything not on the agenda was held over until the next meeting.

Commissioner Beacham commented naming this road was part of Councilman Brown's remarks when he made his presentation on clean-up project.

Chairman Anderson said several suggestions have been received and this is another one which can be considered.

Commissioner Hodges offered a motion to table this item until next meeting and consideration of a joint city/county committee to recommend name for perimeter road. He asked if different sections of road could be given different names. Commissioner Alston said some streets have different names, it can be done, he couldn't think of any prohibition preventing it. Committee Beacham seconded Commissioner Hodges' motion. In discussion, Mr. Franklin asked if concurrences of Department of Transportation was required. Chairman Anderson said committee could research this question.

Mr. Simmons interjected, since City would be involved, they would take this request to the City also. Chairman Anderson said contact with City would be held until notified that request had been presented to the City. Commissioner Beacham remarked, in that case, this couldn't be presented at Board's next meeting.

Commissioner Hodges amended his motion to table this item until future meeting to allow time for presentation to City before consideration for formation of joint city/county committee. Commissioner Beacham seconded this amended motion and it carried.

Chairman Anderson said another item for consideration was a request from five or six people who had their vehicles towed out of Holmes Ramsey's parking lot when they were on jury duty. They are asking the county reimburse them \$55 each for tow bills.

Commissioner Hodges asked if parking lot had signs which said unauthorized vehicles would be towed. Chairman Anderson replied, yes, he checked the lot after the requests were received.

Commissioner Alston asked if anyone knew if all county's public parking spaces were full. Chairman Anderson said he didn't know if anyone would know this.

Commissioner Simmons asked if it was clearly stated in parking lot that vehicles would be towed. Chairman Anderson responded yes.

Commissioner Hodges said this was unfortunate but, with parking lot was signed, he didn't see how county could paid these tow bills, if pay one time, set precedent. Commissioner Lee added one reason to sympathize with these people, they were on jury duty, missing work and then to have their vehicles towed but he agreed with discussion. He said if lot was not posted, it would be different situation.

Commissioner Alston said this was a tough call for him, he would like to see the signs and offered a motion to table action until another meeting. He said an announcement telling jurors and others not to park in private parking lots should be made in the courtroom.

Chairman Anderson asked for second to Commissioner Alston's motion to table action on request for payment of towing bills. Motion died for lack of a second.

Commissioner Hodges offered a motion to deny payment of tow bills. Commissioner Beacham seconded the motion. In discussion Commissioner Hodges asked Commissioner Alston's question concerning the signs. Commissioner Alston said he wanted to see what signs said. Commissioner Hodges said signs say, "if you park here, your car will be towed at owner's expense". Chairman Anderson said he couldn't remember the exact wording but that was the gist of the message. Motion to deny payment of tow bill.

Chairman Anderson recalled discussion in previous meeting of jail security system which could cost from \$15,000 to \$20,000 and called attention to request for from Major Billy Cook system costing \$4,770. He explained this was an outside monitoring system "electric eye" for all the windows which will monitor anyone trying to get in as well as anyone trying to get out. He commented with \$3,000,000 jail this seemed ridiculous Mr. Cook thinks this will give security and correct problem. He said he wouldn't ask Board to vote on this now but jail security has been discussed several times.

After some discussion, Commissioner Hodges offered a motion to table action on jail security system until next meeting and asked Mr. Wood to contact bidder to see if bid could be held until next meeting. Commissioner Alston seconded the motion and it carried.

Chairman Anderson said Arcola-Ash Branch Church road was one of the roads included in road widening projects. He said he had looked at this road with Warden Akins and it is in very bad condition, the widening being done is good but road has deteriorated to point that something has to be done immediately. He added D.O.T. was on road with him and Warden Akins and a letter was written to D.O.T. Commissioner today, they are sympathetic and will try to help. He remarked D.O.T. has given an estimate of \$240,000 to \$360,000. He continued this is considered LARP overlay and LARP funds are out for this year, it would be next March before could be put on LARP request. He said the County Engineer and D.O.T. have advise this is an urgent situation, it's been twenty years since road has been resurfaced, it's worn out. He remarked when the D.O.T. Commissioner responds he will say money is set up for a road which isn't being paved, let me have that money and I will put on this project if county will match with some funds. He asked if the Board was willing to transfer funds to this project. Chairman Anderson said one project which has been mentioned is St. Paul Church Road, money for this project has been allocated for 2-2½ years and he mentioned taking that money to used to resurface the road, another project mentioned is the Groover Mill project. He asked the Board if that's the deal the Commissioner makes, should that money be taken to put on this resurface project.

Commissioner Hodges said, according to comments, right-of-way couldn't be obtained on St. Paul Church Road and it's not on priority list.

Chairman Anderson said that was correct, he had contacted one property owner several times with no success, it wasn't on priority list but state funds were set aside for the project. He added there was a church on this road and it needed to be paved but right-of-way couldn't be obtained.

Warden Akins commented he had been assured by Ricky McCoy of D.O.T. that if situation changes and right-of-way is obtained at later date, St. Paul Church Road can be put back on priority list, but D.O.T. doesn't like to see money not being used.

Commissioner Hodges remarked he thought Chairman Anderson should have authority to use that money. He offered a motion authorizing Chairman Anderson to use money set aside for St. Paul Church Road project on resurface of Arcola-Ash Branch Church Road. Commissioner Beacham seconded the

motion. In discussion Commission Alston asked if time could be allowed to discuss this with members of church so they will know what happening. He added he didn't think money should be held but did owe them courtesy of letting them know. Chairman Anderson said he had met with them and they are aware of the problem. Commissioner Hodges commented to write letter to church members and tell them the money will be used for another project until right-of-way is obtained and it will be put back on the priority list. Motion authorizing Chairman Anderson to money set aside for St. Paul Church Road project on resurface of Arcola-Ash Branch Road carried.

Chairman Anderson advised that Ogeechee Home Health Agency has requested funding for Hospice Organization in Bulloch County, their request is \$240,000 - \$250,000 seed money to get started. After organization is started it's funded by federal and state monies. He added they have contacted the hospital and had some meetings. He remarked his discussion with them was the Board named the Hospital Authority and if county put monies in another organization, there could be a conflict of interest. He continued Mr. Wood has contacted Mr. Jennings who said the hospital would love to be a partner in this organization. He said Ogeechee Home Health was asked to contact Mr. Jennings again. He commented this was for Board's information in case they were contacted individually.

General road conditions and road paving was discussed. Procedure for obtaining right-of-way, development of priority list and rearranging order of roads to be paved because of difficulty of obtaining right-of-way was reviewed.

Chairman Anderson asked for other business or comments. Commissioner Alston stated February has historically been recognized as Black History Month. He offered a motion for a proclamation to designate February as Black History Month in Bulloch County. Commissioner Beacham seconded the motion and it carried.

Commissioner Lee remarked he had received several complaints of property being sold and not being properly transferred on tag digest. He asked if County Manager could investigate this breakdown in transferring of property. Mr Wood will write a letter to offices involved on behalf of Commissioner and ask for response from these offices.

There being no other business, upon motion by Commissioner Alston, seconded by Commissioner Simmons and carried, meeting was moved into Executive Session to discuss personnel matter and land acquisition.

Regular meeting was reconvened. Chairman Anderson asked for further business or comments. Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, meeting was adjourned subject to call.

Erlynn H. Wilson

E. Raybon Anderson
E. Raybon Anderson

February 15, 1994
Statesboro, Georgia

The Board met at 8:30 A.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Lee and Commissioner Smith present. Commissioner Hodges was absent.

Chairman Anderson called the meeting to order and welcomed the news media and seven visitors. Commissioner Simmons gave the invocation.

Minutes of regular meeting on February 1, 1994 and minutes of Executive Session on February 1, 1994 were reviewed. Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, minutes of these meetings were approved as distributed.

For first item of old business Chairman Anderson recognized Tax Commissioner Carlene Johnson to give a delinquent tax report. Ms. Johnson called attention to latest printout of unpaid tax list and presented a printout of collections for December '93 and January '94 for each Commissioner. She advised \$113,000 was collected in month of January as results of T.M.A. audit on inventories of personal property for '91 and '92 of two companies. She added eight or nine of these audits have been completed by T.M.A. and majority of these have paid or promised to pay. She commented personal property audit has more than paid for itself. She said certified letters were continuing on '91 and '92 delinquent taxes. She commented, according to Mr. Scott, Tax Assessor, 1993 digest hopefully will be submitted by middle of March which means tax notices will be sent April 1st if everything goes well.

Commissioner Alston referenced printout of collections for December and January and asked if these were summary sheets by year. Ms. Johnson said yes, that was correct. Commissioner Alston asked when taxes collected for Brooklet, Portal and the School Board were disbursed. Ms. Johnson explained taxes collected for the School Board were disbursed monthly but Brooklet and Portal were not on this listing as they collected their own property taxes.

There were no other questions for Ms. Johnson and Chairman Anderson thanked her for this report.

Chairman Anderson asked Bob Smith, Environmental Manager, to present the next item, Solid Waste Committee report. Mr. Smith said their bylaws require a quarterly report which had been given to Commissioners with Board meeting material for the last meeting. This report covered the Committee activities from Committee's inception on July 27, 1993 and listing of Committee members and their terms of appointment.

Upon motion by Commissioner Alston, seconded by Commissioner Smith and carried, report from Solid Waste Advisory Committee was accepted.

Chairman Anderson asked if Mr. Smith would like to give update on compactor sites. Mr. Smith advised compactor site on Simmons Road was near completion and, hopefully, would open next Monday morning. He added, after operating for a few days, the Committee will a date would set for grand opening. He commented progress was being made in acquiring other property for sites.

Another item of old business was an updated on Zoning Committee. Chairman Anderson asked Commissioner Beacham to address this item. Commissioner Beacham commented this Committee was working diligently and making progress and asked Susan Hill to give current status.

Ms. Hill reported mapping was being finalized along with finalization of text. She remarked it's been decided to put greater emphasis on public education which will lead to at least one public information meeting to be held at Fairground prior to required Public Hearing. She added they also planned to speak to civic groups and, hopefully, these meetings tell how things are going and give time from changes and recommendations before holding Public Hearing. She said plans are to hold these meeting in March.

Commissioner Beacham remarked their objective was to go beyond what is required and make sure public is aware, not just have required meetings.

Chairman Anderson commented he thought this was approach was great and thanked Commissioner Beacham and Ms. Hill for this report.

Chairman Anderson said he had several items to present for information purposes which probably wouldn't need action at this time. He advised the Middle Coastal United Development Council has asked for a resolution. He explained the Middle Coastal United Development Council is the Governor's Economic Development Council comprised of eleven counties which Kenny Stone chairs and they are at a point where they need to be authorized to issue Development Authority bonds to finance regional development across county lines. He said each county represented has to endorse and pass a resolution to enable them to issue these bonds.

Commissioner Smith asked who would be the guaranteeing authority for bonds they issue. Chairman Anderson said if he understand Mr. Stone correctly, this would be Middle Coastal (eleven counties).

Commissioner Smith said counties would ultimately ^{be} the guarantor. Chairman Anderson said he thought it would be the lending institution, they would take responsibility of the loan, this is just a vehicle to get a low interest loan for development.

Resolution for Middle Coastal United Development Council will be prepared for Board's action at a meeting in March.

Another item for presentation was Health Department fees. Chairman Anderson said Board didn't usually respond to letters to editor but he had asked County Attorney to research fees to assure previous actions by Board was correct.

Steve Rushing said he had reviewed the Bulloch County Codes and said the Commission in 1987, as many counties will do, adopted the state regulations and fee schedules, these were incorporated into the Codes by references. He reviewed the section of Bulloch County Codes dealing with Board of Health rules and regulations which incorporated by reference the provision of rules and regulations for on-site sewerage management systems adopted by State Department of Human Resources and Bulloch County Board of Health.

Chairman Anderson asked if county had abided by the Law. Mr. Rushing said yes, those rules and regulations adopted by State which county adopted by reference, have been those followed since adoption in 1987.

Chairman Anderson asked Mr. Glenn Bray of Health Department if this answer any question he had. Mr. Bray said yes, and in the six or seven years since these fees were adopted, this is only

time the fees have been questioned. He said they certainly wanted everyone to feel comfortable with the fact that this was legal.

Chairman Anderson commented that was the purpose of this discussion, to assure the Board and public that the fee schedule was adopted according to Law.

Chairman Anderson said another item for discussion was deeding of alleyways. He asked Mr. Rushing status of these deeds. Mr. Rushing said he and Mr. Brannen had discussed this transfer and title abstractor was identifying the exact property involved. He said he initiated the deeds which the City will execute to the County and anticipated this being completed by month end.

Chairman Anderson remarked another item needing legal clarification was cleanup of a lot on Lakeview Road. He said responsible department had asked for this legal clarification several month ago, the county cleaned-up the lot and needs clarification whether to bill property owner on tax notice or advertise property for sale for cleanup fee. Chairman Anderson said lot was cleaned-up last summer with attorney's office being notified then and again last week but response received was not good. He remarked, according to Ordinance, county has process to clean up property but has to rely on legal counsel to advise how to collect cost of clean-up. He asked Mr. Rushing if he knew status of this question.

Mr. Rushing said he wasn't aware of this request but would research and report to Board.

Upon completion of new business, Chairman Anderson recognized Mr. Tom McMullen. Mr. Mullen introduced himself as Vice President of Savannah Avenue Association. He presented a statement from Dice Price, President of the Association, which, along with other items, referenced the plan for doctors' building complex with 100 parking spaces. Mr. McMullen remarked this complex with parking was not addressed in hospital's certificate of need which the Commissioners previously endorsed and which is presently being reviewed in Atlanta. He stated their objection was this plan to buy houses on Savannah Avenue, destroy them and build this office complex with parking. He said the Association was trying to preserve this area as one of the last main street historical districts. He continued the hospital's statement says they want to respect the community values but the Association doesn't feel they have been addressed in this plan process. He said their main request was for the Commissioners to go on record as encouraging a long range feasibility study with input from various citizens' groups. He commented the current study is a short range study, not a long range study and the Association feels they haven't planned for growth of the community in the long range and exactly in what capacity this hospital will serve, regional hospital or what.

Commissioner Alston asked if the Hospital Authority did commission a long range feasibility study and report is made back to Hospital, what would Association's position be then. Mr. McMullen said they would for it, whatever it says, they weren't taking a stand one way or another for a new hospital or renovation of present one and would ask the Hospital if they could work with them to retain the integrity of the neighborhood.

Commissioner Alston commented whatever the study showed, even if it negatively impacts Savannah Avenue, the Association would accept. Mr. McMillen said, hopefully, they could work with hospital on options to maintain appearance of historical district.

Commissioner Smith asked if the Savannah Avenue Association was incorporated in such a manner to address the historical value of this district in the future or is this one particular incident being opposed. He asked if residents who are members of this Association encompassed the entire area and if they supplied funding, etc. to develop an organization which will be liable both now and in future. Mr. McMillen replied yes, dues are paid and annual Christmas open house is a money raiser project. He added Association has just incorporated, up until this time didn't feel need to incorporate, but corporate papers have been signed and sent to Atlanta. He added, as far plans for the future, the streets off Savannah Avenue constitute a district and the City has said that is a historical district which doesn't carry any weight at state and national levels so paperwork is in the system to have it declared at the state and national level as a historical district.

Chairman Anderson thanked Mr. McMillen for this presentation and information.

Chairman Anderson asked for other business or comments. Commissioner Alston said he had been contacted by citizens on Pear Orchard Road and he asked the County Engineer to make survey and recommendation on this road.

There was some discussion whether this road was a county maintained road. Warden Akins said this road was being maintained when he was first employed with the county in 1981, he didn't know when it first started but it's been scraped ever since he was employed. But, he said the fact this was not an appropriate road, wide enough, etc, going into the development was discussed when

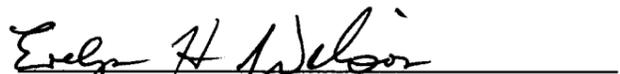
roads in development were accepted, but developers met all requirements to develop their property and at that time condition of county road to their property was not their problem. He repeated this was discussed but there wasn't anything in regulations to defend county if roads in development were not accepted.

Commissioner Alston asked for clarification of the question of this being a county maintained road before Engineer makes a survey and recommendation. This will be researched and report made to Board.

Chairman Anderson asked for other business or comments. Commissioner Alston asked for an Executive Session and offered a motion to moved regular meeting in Executive Session to discuss property acquisition. Commissioner Simmons seconded the motion and it carried.

Regular meeting was reconvened. Chairman Anderson asked for other business or comments. Upon motion duly made, seconded and carried, meeting was adjourned subject to call.


E. Raybon Anderson


ATTEST

March 1, 1994
Statesboro, Georgia

The Board met at 6:00 P.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and twenty-seven visitors. Commissioner Beacham gave the invocation.

Minutes of regular meeting on February 15, 1994 and minutes of Executive Session on February 15, 1994 were reviewed. Upon motion by Commissioner Alston, seconded by Commissioner Lee and carried, minutes of these two meetings were approved as distributed.

First item of old business was the jail security system. Chairman Anderson said request by Major Billy Cook for outside monitoring system for the jail at cost of approximately \$5000. was presented last month. This request was tabled pending further study. Commissioner Alston asked if everyone had discussed this system with Major Cook. Response was varied. Commissioner Lee commented he hadn't met with Major Cook but was satisfied after first trip to jail. Commissioner Smith said needs at jail was obvious.

Chairman Anderson commented they had selected this system based on actual need from an elaborate package and he wanted Board to be satisfied with this request. He added he wasn't sure price as quoted was still the same.

Commissioner Hodges offered a motion to approve outside monitoring system for jail. Commissioner Smith seconded the motion and it carried.

Next item was appointment of committee to name the perimeter road. Chairman Anderson asked Commissioner Alston, Commissioner Hodges and Commissioner Smith to serve on this committee with three people to be appointed by City. Recommendation from this joint committee will be presented to Board of Commissioners and City Council.

Chairman Anderson recalled discussion of Middle Coastal Development Council in the last meeting and said there was some question of who was responsible for actions of this Council.

Mr. Franklin responded, as explained in letter from Steve Rushing, actions by this Council cannot create a debt or obligation on the county.

Chairman Anderson said, if he understood correctly, this Council would, on a regional basis, make loans or help finance development projects if it's endorsed by all counties in the Middle Coastal Region.

Commissioner Alston offered motion to adopt resolution to activate and create a joint Development Authority for the Middle Coastal Region of Georgia. Commissioner Smith seconded the motion and it carried. See exhibit #1994-4.

Chairman Anderson asked for other old business. Commissioner Alston asked if County Engineer has prepared recommendations for Pear Orchard Road. Mr. Wood said he didn't think this had been done but would check with Mr. Tatum.

First item of new business was consideration of road name changes for two roads. Chairman

Anderson presented petition to change name of county road #156 from Wiley Wilson Road to Stephens-Little Road. He said Ted Wynn, Public Safety Director, has certified that 80% of property owners signed this petition. He remarked Commissioners' policy is, if have 80% of signature, change of road name may be considered.

Commissioner Lee offered a motion to accept petition and change name of county road #156 to Stephens-Little Road. Commissioner Simmons seconded the motion. In discussion Commissioner Hodges asked if the two property owners who did not sign were asked to sign and refused. Commissioner Lee said that was his understanding, they would not sign. Motion to change road name of county road #156 to Stephens-Little Road carried.

Chairman Anderson presented petition to change name of county road #730 from W.P.T.B. Road to George Sabb Road. He remarked Ted Wynn has certified 100% of property owners signed this petition.

Upon motion by Commissioner Beacham, seconded by Commissioner Alston and carried, petition was accepted and road name for county road #730 was changed to George Sabb Road.

For other business, Chairman Anderson recognized Mr. Ray Hendrix. Mr. Hendrix introduced himself as representative of group from the American Legion and said his purpose was to read a resolution to Commissions concerning name for the perimeter road. He read the resolution urging the naming of the perimeter road as the "Veterans Memorial Parkway". See exhibit #1994-5. Mr. Hendrix remarked there were two markers in Statesboro recognizing the veterans of Bulloch County, these were the flag memorial on the courthouse dedicated to the County by the American Legion and the "Flame of Freedom" at city hall also dedicated by the American Legion. He said now the City and County had it within their power to recognize veterans of this country and this county by naming a everlasting memorial, the perimeter road.

Chairman Anderson thanked Mr. Hendrix for this presentation and said this resolution would be passed on to the committee to recommend name for the perimeter.

Chairman Anderson recognized Mr. John McDilda. Mr. McDilda said his request was for the Commissioners to either close road 123 (Bulloch County road #193) on the Evans-Bulloch line or open and maintain the road. He commented proposal to close this road has been presented before and it was determined by county engineers it was too expensive to maintain this road. He remarked Evans County had voted to close the road but had said there was no action from Bulloch County, they had put on their agenda again and ask him to meet with Bulloch County Commissioners. He asked if Board was aware of situation with this road.

Chairman Anderson responded yes, this road has been on the agenda for years and the Board communicated through the county attorney to Evans County attorney that Evans County would need to take action and send it to Bulloch County. He said a message was received saying Evans County had approved closing of road but learned later that was not the case, so Bulloch County Board has not been asked to take any action pending receipt of official documentation from Evans County that the road has been officially closed.

Commissioner Hodges asked if there were some property owners who have said they don't want the road closed. Chairman Anderson explained all the property owners on the road have agreed but some close property owners, who don't abut the road but use the road, have ask it remain open.

Mr. McDilda remarked if road remains open, someone should maintain the road. Chairman Anderson said the road hasn't been maintained in eight to nine years. He stated several years ago a traffic study of the road showed there was little, if any, traffic other than for movement of farm equipment and Bulloch and Evans counties made the decision not to maintain the road.

Commissioner Hodges asked if county engineer could survey the road and give an estimate of cost to improve and maintain and if road is worth improving.

Chairman Anderson said the county engineer will contact Evans County's engineering department to survey this road.

Chairman Anderson asked Warden Akins for update on road projects. Mr. Akins reported the Old River Road was 99% complete, the section of Nesmith Road is ready for paving, Friendship Church Road is being cleared, Jimps Road (Gateway) is almost ready to turnover to the contractor, road from Leefield to Old River Road has been staked and have asked for short section of Black Creek Church Road behind Southeast Bulloch to be staked.

Commissioner Lee asked conditions of river landings. Mr. Akins said landings were being maintained where possible. General conditions of landings were discussed. There was a question concerning posting of signs at landings. The county engineer will be asked to make sure all signs are erected.

Chairman Anderson announced the first solid waste compactor site on Simons Road was opened on

Monday of last week and response has been good. Date for grand opening was questioned. Mr. Wood said this had been set for Saturday, March 12th.

For other business, Chairman Anderson called on representative of Coalition for Health Care Excellence. Ms. Dee Cole presented a petition signed by over 1,500 voting age residents requesting a non-biased, professional study prior to any expansion of the hospital at its present location. She said the public was counting on the Commissioners to exercise their responsibility and exert control over the Hospital Authority and, as their overseers, order them to undertake a new study.

Commissioner Lee asked if Coalition would support results of a new study. Ms. Cole said yes, they would support the results of the study as long as the integrity of Savannah Avenue historical district is maintained.

Commissioner Beacham remarked he wasn't sure the statement about the Board's authority over the Hospital Authority was correct. He said he thought this was a misconception, that the Commissioners had legal control over the Hospital Authority.

Mr. Franklin stated legal Authorities are established pursuant to State Law which says a Hospital Authority shall be created for each county/city in the state. Those Authorities are activated by a resolution of the Board of Commissioners, that resolution would have specified terms and membership between five to nine members. He continued the Law has been amended to provide that the membership can be increased by up to two members by a resolution of the Hospital Authority itself. He said his reading of the statute providing for creating of Hospital Authorities is that the original resolution and amendments would provide for the length of terms, any term limitations, etc. He said he thought the only control the Commissioners would have is the length of terms, term limitations, but the Authority is created by State Law and then becomes basically an autonomous governmental entity charged with responsibility under State Law to provide health services for a county/city or both.

Ms. Cole thanked Board for their attention.

Chairman Anderson recognized Mr. Tom McMillen of the Savannah Avenue Association. Mr. McMillen presented letter from Georgia Department of Natural Resources which stated Savannah Avenue Neighborhood Association is considered eligible for the National Register of Historic Places. He said this means that federal and state law apply and affects agencies that license projects that undertake any action that impacts Savannah Avenue. He remarked their attorney had notified the Hospital Authority it would need to comply with the federal law which is the National Historic Preservation Act. He commented it doesn't have to be on the National Register, just be eligible, for this law to apply. He said when Commissioner endorsed Hospital's Certificate of Need no one was aware of the application of this law. He said their request was the Board rescind that endorsement of support until the hospital is in compliance with federal and state law concerning the historic district.

Mr. McMillen said there was one other item he wanted to bring to Board's attention was purchase of property on Savannah Avenue by the Hospital. He gave the assessed value of the property at \$63,000 which the hospital purchased at \$100,000. He said their concern was inflated prices being paid for property by the Hospital. He said it has been stated that the hospital expands about every ten years, does this mean inflated prices will be paid for future expansions. He said they were concern about this trend.

Chairman Anderson asked the County Manager to obtain additional information on Hospital's Certificate of Need and if needed a special meeting will be called.

Chairman Anderson said Commissioner Beacham had suggested Commissioners wear name tags and ask him to address this subject. Commissioner Beacham said he had observed a number of other County Commissioners wearing name tags when on county business. He said he thought tag identified Commissioners to the public and it was appropriate for Commissioners to be identified. He said it would also be appropriate for county employees who go on private property on county business.

Chairman Anderson asked Commissioners to consider this suggestion for decision at a later meeting.

Chairman Anderson said regular meeting scheduled for Tuesday, April 19th conflicted with ACCG annual conference. He asked if Board wanted to cancel this meeting or change meeting date. After some discussion it was decided to change meeting date to 8:30 A.M. on Thursday, April 21st.

Chairman Anderson asked for other business or comments. He commented Executive Session was needed to discuss property offered to Commissioners.

Upon motion by Commissioner Hodges, seconded by Commissioner Alston and carried, regular meeting was moved into Executive Session for discussion of property acquisition.

Regular session was reconvened. Chairman Anderson recognized Ms. Sherrie Hibbs, Assistant City Engineer. Ms. Hibbs presented a cost estimate, which is to be a contract amendment to the Golder Associates' contract, for samplings at present landfill. She explained once results of initial samplings were received it was determined additional sampling was necessary. She said total cost to amend the contract was \$86,200. She remarked this was a two year contract and give explanation of testing which has to be continued for 30 years.

Commissioner Beacham said there wasn't really any choice, this was a mandate. He offered a motion to approve contract amendment. Commissioner Simmons seconded the motion. In discussion Commissioner Lee asked if this cost could come from special sales tax. Chairman Anderson replied this cost comes strictly from tippage fees which could has to go up according to revenue needs. Motion carried with Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Lee, Commissioner Smith voting in favor of amendment of contract with Golder Associates for additional work at landfill for amount of \$86,200. Commissioner Hodges voted to oppose the contract amendment.

Commissioner Hodges asked status of landfill site committee. Mr. Wood advised committee has been restructured and meeting was being scheduled. Commissioner Hodges asked to be notified of meeting schedule.

Chairman Anderson asked for other business in regular session. Upon motion by Commissioner Alston, seconded by Commissioner Beacham and carried, regular meeting was moved into Executive Session.

Following Executive Session, Chairman Anderson asked for further business or comments. Upon motion duly made, seconded and carried, meeting was adjourned subject to call.


E. Raybon Anderson


ATTEST

March 15, 1994
Statesboro, Georgia

The Board met at 8:30 A.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and nine visitors. Chairman Anderson remarked on the death of Wilson Groover, previous Commissioner, and asked for a moment of silent prayer in remembrance of Mr. Groover. Commissioner Hodges gave the invocation following moment of silent prayer.

Minutes of regular meeting on March 1, 1994 and minutes of Executive Session on March 1, 1994 were reviewed. Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, minutes of these two meetings were approved as distributed.

First item of old business was a recommendation from Zoning Committee presented by Mr. Ricky Nessmith. Mr. Nessmith presented a letter recommending staffing for Zoning Department. He said if Zoning is to be enacted and be properly handled, staff personnel will have to be hired.

Commissioner Beacham said he was a part of this Committee and a number of committee members signed this letter of recommendation to which he added his endorsement.

Ms. Susan Hill announced the first public review of zoning draft maps would be held on Tuesday, March 22nd from 3:00 p.m. to 7 p.m. at the Fairgrounds. She said forms would be available for public input.

Chairman Anderson thanked Mr. Nessmith and Ms. Hill for time and work done by this Committee.

Chairman Anderson said name tags for Commissioners and employees had been suggested in the last meeting and postponed for further action. He asked for discussion on this topic.

Commissioner Beacham said he made this suggestion and thought it was a good idea, he had seem, not only county officials but officials of other organization, wearing name tags. He added it would identify Commissioners at different functions and make public aware they were involved in different projects.

Commissioner Beacham offered a motion to purchase name tags for Commissioners and, depending on cost involved, decide whether to provide for employees. Commissioner Hodges seconded the motion. Commissioner Alston asked if Department Heads had been contacted for reaction on name

tags. Chairman Anderson said no, were waiting for Board's action. Commissioner Hodges said name tags for employee needs to be investigated, especially in case such as court system. He suggested this be discussed at the next Department Head meeting to get reaction from Department Heads.

Commissioner Beacham offered an amended motion to purchase name tags for Commissioners (seven or eight) and proceed further with other names tags if it's indicated they are needed. Commissioner Simmons seconded amended motion and it carried.

Chairman Anderson commented on changing name of Wiley Wilson Road (Rd #156) to Stephens-Little Road at the last meeting, saying there were ten people listed as property owners on this road and eight voted in favor to change the name road. He continued he received a call from Mrs. Rushing who lives in the community and said she was not contacted, also his son, who just turn eighteen, was given false information to get him to sign the petition. Mrs. Rushing wants her son's name removed from the petition. Chairman Anderson said he made Mrs. Rushing no promises other than she was welcome to present her case to the full Board and she will attend the next meeting. He said both sides would be invited to present their viewpoint. He said Mr. Wynn has been asked not to order any signs until this matter is resolved.

Commissioner Lee asked how the Ordinance for road name change was worded, are the citizens responsible for circulating the petition and contacting each property owner. Chairman Anderson said yes, that was correct, but there are some recommendations to be presented for future name change petitions.

Commissioner Smith asked percentage of property owners who sign this petition for name change. Chairman Anderson responded 80% of owners signed. Commissioner Smith asked if Ms. Rushing's son had authority to sign the petition. Commissioner Hodges said yes, he was given this property, also he understood Ms. Rushing was contacted but refused to sign.

Commissioner Smith said, with fact that 80% of property owners signed petition and he being eighteen made him eligible to sign, he thought it was a mute matter, it's already been handled. There was general consensus with Commissioner Smith's statement.

Chairman Anderson said if Board wanted to maintain its decision, he would inform Ms. Rushing the Board wouldn't consider this at the next meeting.

Commissioner Alston said he didn't want to say Ms. Rushing shouldn't come to the next meeting.

Both parties will be heard at the next meeting.

Chairman Anderson asked Mr. Wood to address changes in procedure for road name changes. Mr. Wood said, after it was discovered there might be a problem, some thought was given of ways to prevent this from happening in the future. He suggested a change in Ordinance, if necessary, or, if not, just change in operational procedure. Changes recommended were (1) discourage sir names; (2) petition form will emanate from Public Safety office which will determine number of parcels on the road; (3) \$10. charge per parcel paid by petitioners for county to process petition by contacting all property owners by certified mail to insure everyone is contacted.

Commissioner Lee offered a motion to adopt procedures as recommended. Commissioner Smith seconded the motion and it carried.

Mr. Franklin said Ordinance probably should be amended, giving the Public Safety Director authority to establish procedures and fees. He explained this would give some flexible in the future without having to have Board action.

In absent of Tax Commissioner, prepared report for collections of delinquent taxes in the amount of \$157,885.56 for month of January 1994 was distributed. It was explained this figure did not include any amount for collections of 1993 taxes.

Commissioner Alston asked if county lost the ability to litigate once taxes were delinquent for seven years. Mr. Franklin explained if execution of those taxes are on record, on Execution Docket, the execution stands as a lien against the property.

Commissioner Alston asked if there could be a verification of status for taxes over seven years, 1987, 1986, 1985, 1984. This will be investigated and reported at the next meeting.

Chairman Anderson asked for other old business. Mr. Wood gave an update on status of river landings, saying all signs have been erected and contact has been made with property owner at Rocky Ford landing. He advised Mr. Tatum is still in contact with State to have them look at the landings.

First item of new business was Courthouse Committee recommendations. Chairman Anderson commented Commissioner Smith has asked this be deferred to Executive Session because of nature of discussion.

Commissioner Smith remarked he could bring Board up to date but since some of this discussion involved what he considered personnel matters, he thought that part should be discussed in Executive Session. Commissioner Smith said the Courthouse Committee had met extensively over last few months pertaining to selection of architectural firm to prepare plans for judicial annex and renovation of courthouse. He commented twenty-two architectural firms initially submitted a prospectus for review, five of these firms were interviewed and the two finalists selected to be presented to the Board was Mayes, Sudderth & Etheredge from Atlanta and Eckles, Martin & Rule from Statesboro. He stated, since this was what he considered a personnel matter further discussion was needed in Executive Session before final Board action.

Chairman Anderson presented the next item, check signature authorization and recommended approval of resolution authorizing addition of Clerk of the Board to check signature authorization as second signature when and if needed on budgeted items as set forth in the resolution.

Upon motion by Commissioner Hodges, seconded by Commissioner Lee and carried, resolution authorizing Clerk of Board to sign checks with restrictions was adopted. See exhibit #1994-6.

Chairman Anderson said an item for discussion which was not on the agenda was a resolution from Hospital Authority which was received too late to distribute to the Commissioners. He said he wasn't asking immediate action but they would prefer Board take action today. He reviewed letter from Mr. Ramsey Jennings which highlighted two changes which will not affect any current member terms: (1) reduction from four to three in number of terms each person may serve, a total of twelve years rather than sixteen; (2) an elimination of the grandfather provision so all past service on the Authority count toward the maximum years. He said Mr. Jennings's letter asked endorsement and adoption of these changes by approving the resolution.

Commissioner Smith offered a motion to adopt resolution as presented. Commissioner Beacham seconded the motion. In discussion Mr. Franklin explained, under the law, the resolution controlling terms and term limitations should be a resolution of the Board of Commissioners only, the Authority can make recommendations. He said he didn't think this action is to be addressed by joint resolution, don't set precinct, follow state law with Board of Commissioners doing what it's charged to do and Hospital Authority doing what it's charged to do.

Commissioner Smith amended his motion to accept concept of resolution recommended by Hospital Authority with resolution to redrafted for Board action at the next meeting. Commissioner Beacham seconded the amended motion and it carried.

Chairman Anderson commented there was one other of item of business not on the agenda which needs attention and that was the status of legal work on several road projects and pipe easement projects. He said he was very concern some roads wouldn't be paved and pipe not installed this year because legal work was not completed. He added assistance from State was needed on other pipe replacement but couldn't request this assistance until outstanding projects were certified to State.

Chairman Anderson reviewed submission of legal papers on Old River Road to attorney's office and said with condemnation of three tracts in September '93 the Board was under the impression process on Old River Road was complete and road could be built. He said when status of certification on Old River Road was requested from attorney's office on March 11th, it was learned that several deeds were outstanding.

Mr. Franklin responded the execution of right-of-way deeds was a function of the county. He added there was one outstanding deed on project for twelve pipe sites has been given to Mr. Tatum. But, Chairman Anderson remarked, in September the Board thought the process was complete with the three condemnations and wasn't advised of outstanding deeds until status of certification was requested on March 11th.

Mr. Franklin said he had previously explained that there were outstanding liens on property on this road which hadn't been received, his office has been working to get these cleared.

Mr. Franklin said if he had known this was to be discussed today, he would have been prepared. Chairman Anderson said he discussed this with Mr. Franklin's secretary on Friday and presumed she would relate their conversation to Mr. Franklin for his response to the Commissioners.

Chairman Anderson commented the deadline for obtaining a contract to pave Old River Road this year is fast approaching.

Commissioner Hodges suggested Mr. Franklin give the Board a full update at the next meeting. Commissioner Alston brought attention to fact that next meeting would be in three weeks. He asked if Mr. Franklin could present his report when it was ready and update the Board at the next

meeting. Mr. Franklin will provide update report on status of legal work on Old River Road.

Commissioner Smith commented, with no reflection on Mr. Franklin, this brings up the subject of the need for staff attorney, much of this type work can be done by a staff attorney. He said process to hire a staff attorney was completed to point of hiring an employee which didn't develop because, in his opinion, of employment contract. He continued he thought this requirement should be review and if this is a problem and prevents hiring the best choice for the position, may have made a mistake by requiring contract. He added County Manager was only position with a contract and that was at his request, he didn't have one for couple of years.

Commissioner Hodges commented a staff attorney would be vital in the Zoning operation and he thought position should be filled.

Commissioner Smith offered a motion to rescind the requirement of a contract for staff attorney, for it to be optional between candidate and county manager with recommendation to the Board. Commissioner Hodges seconded the motion. In discussion Commissioner Alston asked if Board had voted to have a contract. Commissioner Lee remarked two contracts were presented, one prepared by Mr. Franklin with staff attorney working under his supervision and one prepared by Mr. Wood with staff attorney working under county manager's supervision which was the one adopted. Mr. Franklin said it was his recommendation there be some employment contract with a staff attorney. Mr. Wood said the requirement of contract gives implementation of less than full endorsement of this position by Board. Commissioner Beacham commented he thought a contract takes the opposite approach, says Board is committed, maybe the wording of contract could be changed, contracts are always negotiated. Commissioner Lee asked if motion could be amended to leave contract in place with it to be negotiated between county manager and applicant. Motion to rescind the requirement of a contract in hiring process of staff attorney carried. Commissioner Smith, Commissioner Alston, Commissioner Simmons, Commissioner Hodges voted in favor of the motion. Commissioner Lee and Commissioner Beacham voted to oppose the motion.

Chairman Anderson asked for other comments or business. Upon motion by Commissioner Smith, seconded by Commissioner Alston and carried, meeting was moved into Executive Session to discuss land acquisition and potential litigation.

Chairman Anderson reconvened the regular meeting and asked for authority to purchase property for compactor site on Pretoria-Rushing road, negotiate purchase of property on Brooklet-Denmark Road and authority for Commissioner Smith to negotiate lease of property at Old West Side School for compactor site.

Upon motion by Commissioner Hodges, seconded by Commissioner Simmons and carried, authorization to pursue purchase property on Pretoria-Rushing Road for compactor site, authorization to negotiate purchase of property on Brooklet-Denmark Road and authorization to negotiate lease of property at Old West Side School was approved.

Chairman Anderson asked Commissioner Smith to present report from the Courthouse Committee. Commissioner Smith said, as previously stated, the Courthouse Committee has narrowed architectural firms for recommendation for Board's consideration to two firms, Mayes, Sudderth & Etheredge of Atlanta and Eckles, Martin & Rule of Statesboro. He discussed qualification of both firms and said information for Commissioners' review was available on each firm. He added the Committee suggested the Board visit projects completed by each firm before final decision is made.

Commissioner Hodges asked what fee system were these firms using, a percentage, and is there any different in their cost. Commissioner Smith said the standard architectural fee is 6% of structural cost.

Mr. Franklin asked if 6% included study cost. There was some discussion of what fee covered. Mr. Franklin asked if services the 6% fee covered had been put in writing. Commissioner Lee added he would like to see a formal proposal which includes services they provide and their fees.

Both firms will be asked for a written formal proposal which includes services provides for fee charged. Also visits to projects designed by each firm will be coordinated.

Commissioner Smith commented it was brought to his attention that this matter should be discussed in regular session instead of Executive Session as he had previously requested and he realized this was an error. He added at times it was difficult to determined in which session a topic should be discussed.

 Chairman Anderson asked for other comments or business. Upon motion by Commissioner Smith, seconded by Commissioner Alston and carried, meeting was moved into Executive Session to discuss land acquisition and potential litigation.

Commissioner Anderson asked for other business or comments. Upon motion by Commissioner Beacham, seconded by Commissioner Smith and carried, meeting was adjourned subject to call.


E. Raybon Anderson


ATTEST

April 5, 1994
Statesboro, Georgia

The Board met at 6:00 P.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and 50+ visitors. Commissioner Lee gave the invocation.

Minutes of the regular meeting on March 15, 1994 and minutes of the Executive Session on March 15, 1994 were reviewed. Upon motion by Commissioner Smith, seconded by Commissioner Alston and carried, minutes of the two meetings were approved as distributed.

First item of old business was Zoning Board appointments. Chairman Anderson said list of people recommended to serve on this committee was compiled and forwarded to each Commissioner. He continued Commissioners were asked to select seven members for this Board and, since none of these people had been contacted, individual names would be discussed in Executive Session. He commented he didn't want to discuss in open session until they were notified that they were being considered for this Board.

Chairman Anderson asked Mr. Wood to discuss next item, Recreation Board Appointments. Mr. Wood call attention to updated list of Recreation Board positions and said purpose of this update was to clarify Board members and terms. He explained there were two positions, Bruce Yawn and Ray Davis, expiring on June 30th, and there were three positions, Will Grant, Johnny Deal and Mary Reddick which were not formally reappointed until new park was opened as requested by Recreation Board. He added there were four positions to be appointed prior to June 30, 1994, Bruce Yawn and Ray Davis who's terms expire June 30, 1994 and unexpired terms of Johnny Deal and Mary Reddick. He said the term dates do not change.

Commissioner Hodges asked if names had been requested from Commissioners for these positions. Mr. Wood replied no, not for this particular Board.

Commissioner Alston asked if Mr. Deal and Ms. Reddick would accept positions if they are reappointed. Chairman Anderson said he didn't know, they have not been contacted.

Mr. Wood will contact Mr. Deal and Ms. Reddick to ask if they would serve if reappointed. Chairman Anderson said these Board appointments will be considered at a later meeting.

Next item was a Resolution for Hospital Authority terms which was presented at the last meeting and was to be redrafted as suggested by Mr. Franklin for adoption by Commissioners rather than joint adoption by Commissioners and Hospital Authority. Chairman Anderson said this was same resolution presented in the last meeting which made some changes in Authority terms. He asked Mr. Franklin to comment.

Mr. Franklin said this Resolution was the same of the one presented in the last meeting except, rather than being a joint Resolution of Commissioners and Hospital Authority, it's a Resolution of Board of Commissioners.

Commissioner Smith called attention to item #7 in the Resolution which called for adoption by both the Board and the Authority and to signature page which called for signatures of Board and Authority. He commented these items were not changed.

After further review, Mr. Franklin said these sections should be changed. He suggested Resolution be adopted with words "and the Authority" of item #7 to be struck and delete signature block for the Authority on the signature page.

Commissioner Smith offered a motion to adopt Resolution for Hospital Authority with changes as suggested by Mr. Franklin to signify the Board of Commissioners as sole agent for changes of Authority terms. Commissioner Lee seconded the motion and it carried. Mr. Franklin will provided correct Resolution for Chairman's signature. See exhibit #1994-7:

Chairman Anderson asked Mr. Franklin to discuss the next item, Ordinance Amendment for procedure for road name change. Mr. Franklin said procedure for road name changes was discussed in the last meeting and was adopted in principle ^{but} he suggested an ordinance amendment to

provide the county manager authority to establish reasonable procedures and reasonable fees for processing road name change petitions. He remarked this Ordinance Amendment was result of this discussion.

Commissioner Hodges offered a motion to adopt Ordinance Amendment. Commissioner Simmons seconded the motion. In discussion Commissioner Lee asked what precluded the county manager in the future from deviating from fair charge and procedure set out by Board in the last meeting, this leaves it to his discretion. He added he thought procedure to be followed was outlined. Mr. Franklin said perhaps he misunderstood what the Board wanted, Ordinance Amendment could be worded "to be recommended by the County Manager and adopted by the Board". After further discussion, Mr. Franklin suggested adding wording Amendment to read "the County Manager shall be authorized to recommend written procedures and reasonable fees to the Board of Commissioners for the processing by the county of petitions requesting change of road names". He explained then from time to time, as need arises, the Board can make changes by resolution without having to change the Code section.

Commissioner Hodges withdrew his motion.

Commissioner Beacham offered a motion to adopt Ordinance Amendment as reworded "the County Manager shall be authorized to recommend written procedures and reasonable fees to the Board of Commissioners for the processing by the county of petitions requesting change of road names". Commissioner Lee seconded the motion and it carried. Mr. Franklin will provided correct Ordinance Amendment. See exhibit #1994-8.

Chairman Anderson asked Mr. Wood to give update on mobile home decals. Mr. Wood said shortly after taking office this Board had asked this issue be addressed. He explained this is a function of the Tax Assessor's office but because of the involvement with reevaluation other offices have taken this project with Jimmy Dodgen taking the lead. He stated approximately 750± letters were mailed and the level of response caught everyone by surprise. He asked Mr. Dodgen to give status of this project.

Mr. Dodgen said an effort was made to compile a list of every mobile home in the county and that list was compared to list of everyone who had purchased a 1993 mobile home decal from Tax Commissioner's office. As result of cross reference of these lists there are about 2500 mobile home which were not on tax records and it was felt anyone who was not on record as purchasing a 1993 decal should be contacted. He explained 740 letters were mailed and in two week period about 250 people have responded. Mr. Dodgen said of those 250 some have paid their 1993 taxes, others have brought in paid receipts and information is being obtained to see why these are not on county's records, others rent mobile homes and information of owners is being obtained to see if they have paid. He remarked records are being corrected, 1993 taxes are being collected and, hopefully, when this process is completed there will be a good set of records on mobile homes so taxes can be collected. He added another is being prepared for the 500 people who have not responded and if they do not respond to this second letter, they will be turned over to Magistrate Court. He remarked process will continue until all 2500 mobile home owners have been contacted.

Mr. Wood commented some mistakes were made with this first mailing, it's been a learning process, but progress is made.

Chairman Anderson commented while taxes were being discussed he would like to recognize interim Tax Commissioner Jack Wynn. He said Mr. Wynn was well known and it was good to have Mr. Wynn in this position. He asked Mr. Wynn for his comments.

Mr. Wynn said he had good support from Tax Office staff and they were getting some procedures started. He added he hoped he could do a proper job in this position.

Chairman Anderson said next item for consideration was final construction payment to LPS Construction for the jail. He said jail was completed last July and last payment was held until problems were corrected. He remarked the Sheriff and his staff have given notice that everything is completed.

Commissioner Alston made a motion to make final payment. Commissioner Smith seconded the motion. In discussion Commissioner Hodges asked if everything had been done. Chairman Anderson said letter from Sheriff indicated everying is done. Commissioner Hodges referenced letter to Mr. Wiggins on one project not completed. Commissioner Alston said the wall plaque has not been mounted but has been ordered and the Sheriff feels comfortable that it will be completed. Motion to make final payment on jail of \$11,400 to LPS Construction carried.

Chairman Anderson asked Mr. Wood for update on Health Department construction. Mr. Wood advised acceptance of building has basically be signed with some exceptions as articulated by the architect. He added the Health Department is in process of moving and open house will probably

be some time in May.

Chairman Anderson asked for update on Old River Road project. Mr. Franklin remarked there are three right-of-way deeds outstanding, one is being handled by Mr. Tatum, one is Georgia Pacific, and one which will be signed once county installs driveway. He added there were two quit-claim deeds remaining but there is a mechanism to handle these if can't obtain from these lending institutions.

Commissioner Smith said time was expiring on paving contracts for this year, people on this road are expecting this road to be paved and if not, they will be another year on this mess.

There was some discussion of deed from Georgia Pacific. Mr. Franklin will call their local counsel in Hinesville to see if it can be expedited. He said this is only one he is really concerned with.

Chairman Anderson remarked this contract needs to be let this month in order to get road paved in proper time.

Chairman Anderson asked for other old business. Commissioner Alston said in the last meeting he had questioned collection of delinquent taxes over seven years old and report of these old taxes was to be made. Mr. Franklin remarked Julie Smith was prepared to present this report.

Ms. Smith distributed a report showing delinquent taxes for 1986 through 1992 and said county can collect delinquent taxes beyond seven years if certain requirements are met. She explained this is done by filing delinquent taxes on Execution Docket in Clerk of Court office, execution of "Fi Fa" which is good for seven years and before it expires a "Nulla Bona" is filed which extends it for another seven years. She remarked, unfortunately, this has not always been done, some Fi Fas were filed for 1984, 1985 and 1986 but they weren't followed up with "Nulla Bona" and 1984 and 1985 have expired. She continued she was concerned with 1986 and said there is a chance to collect on 1986 taxes because the seven years is based on time taxes come out and fortunately taxes for this year are late. She added 1984 and 1985 are just uncollectible and it need to be explained to the grand jury that these are uncollectible and need to take off the tax records. Ms. Smith said there was another area of concern, this was Fi Fas were filed sporadically on 1987 taxes and filed only on A through M for 1988 through 1990. She added it would take a tremendous amount of time to get the ones remaining on the Execution Docket.

Chairman Anderson said, if he understood report Ms. Smith provided, from 1986 through 1992 there is over \$1,000,000 delinquent taxes due. Ms. Smith explained that figure, \$1,024,951.01, includes 10%, \$10 Fi Fa, \$3 late fee and 1% per month, amount of taxes due is about \$730,000.

Chairman Anderson said citizens of Bulloch County deserve to have all taxes collected and correct and he felt progress was being made.

First item of new business was D.O.T. contract on Nessmith Road. Chairman Anderson said this road was built and ready for paving contract. Upon motion by Commissioner Smith, seconded by Commissioner Hodges and carried, D.O.T. contract in the amount of \$31,431.42 for Nessmith Road was approved.

Chairman Anderson asked Mr. Wood to present information on F.B.O. Lease for airport. Mr. Wood said the F.B.O. operator at the airport was Diamond Aviation and a an airport subcommittee have negotiate a new lease agreement with Diamond Aviation for one year under basically the same terms and conditions as the current lease. He explained plans are currently being designed for a new terminal and at some point in time, when know what new facilities will be, new F.B.O. lease will be negotiated. He added City Council endorsed this lease this morning.

Commissioner Smith offered a motion to approved one year lease for F.B.O. operator for airport with Diamond Aviation. Commissioner Alston seconded the motion and it carried.

For next item, Stilson Gymnasium, Chairman Anderson presented a letter from Gerald Edenfield to Dr. Billy Bice, Superintendent of Schools, requesting Board of Education not to destroy the Stilson Gymnasium. He said Mr. Edenfield's was encouraging the Commissioners to request the Recreation Board to do everything possible to save this gym for citizens of this community.

Commissioner Lee said it was his understanding this gym was used a great deal by this community and he was sure they would appreciate the Commissioners' input for the School Board to work with Recreation Board to save this gym.

Commissioner Hodges asked if Recreation Board needs to see what repairs are needed or has this been done. Chairman Anderson responded this has been done, there were three or four options and School Board made decision to tear gym down. He said he heard estimate of \$40,000 to \$70,000 for repairs, he didn't know what was correct. He added he thought the community was willing to raise some funds if School Board or Recreation Board could help.

Commissioner Lee asked estimate to tear gym down. Chairman Anderson said he wasn't sure, but it was probably about the same amount to tear gym down and remove as to repair.

Commissioner Smith offered a motion authorizing the County Manager to draft a letter to the Recreation Board asking them to study the project and made recommendations to the Commissioners and the School Board. Commissioner Simmons seconded the motion and it carried.

Chairman Anderson said next item, authorization to borrow, would be postponed. He remarked, hopefully, borrowing would not be necessary and if it becomes necessary, it will be brought back for Board action.

Chairman Anderson presented an Ordinance for speed limits and said this was a recommendation by the Department of Transportation and approved by Sheriff Akins. Upon motion by Commissioner Alston, seconded by Commissioner Hodges and carried, Ordinance for speed limits as recommended by Department of Transportation was approved. See exhibit #1994-9.

Chairman Anderson said the next item, closing of county road #94, was for discussion only. He explained the road was on the west side of county going into Candler County and said there was a letter from the Chairman of Candler County Board of Commissioners requesting the road not be closed. He continued the bridge which joins Bulloch and Candler counties has been condemned and been closed for over a year. He advised the Department of Transportation has allocated funds to repair this bridge but won't do this until some decision is made to keep the road open. He added if bridge is repaired, it will be a Candler County project. He stated some property owners abutting the road want it closed, some want it to remain open. He asked Board to consider this item for action at next meeting.

Chairman Anderson presented request for payment of indigent burial expense. Upon motion by Commissioner Hodges, seconded by Commissioner Alston and carried, payment of \$250.00 for indigent burial expense was approved.

Chairman Anderson asked Mr. Wood to present information on insurance bid recommendations. Mr. Wood advised two bids were received on April 1st for county's liability, vehicle, property and umbrella coverage. One bid was from an Atlanta firm, the other from local firm which has provided county's coverage for some time. He gave the total bid amount of \$302,661 compared to coverage in place and bid two years ago of \$270,331 plus additions of \$17,841 equating to an amount of \$288,172. He remarked this makes this year's bid about \$14,000 higher than before. He stated expiration date was April 15th and recommendation was to accept bid of prior carrier, except the other firm was low bid on the umbrella coverage and they will be asked if they will write this coverage separately, which might save some money. Also, collision coverage on vehicles is being reviewed to see if this can be scaled down to save some money in this area.

Commissioner Lee offered a motion to accept insurance coverage as recommended. Commissioner Alston seconded the motion. In discussion Commissioner Lee noted there were some complaints about time given to submit bids, only gave 30 day notice, and have agreed to give 60 days notice and correct other problems in next bid process. Motion to accept insurance coverage as recommended was carried.

Moving into other business, Chairman Anderson recognized Mr. Douglas Jones. Mr. Jones said he represented property owners on the Scarboro Church Road as well as church members and remarked this road is in bad condition most of the time. He said he personally obtain signatures for right-of-way for paving of this road and to his knowledge there were three property owners who have not signed. He said this was over a year ago and their request was for the Board to take action necessary to complete this project in the most timely manner possible. He added they were willing to offer any assistance necessary.

Chairman Anderson said it was thought about a year ago this road could be paved this year, it was number one on the priority and property owners had committed but some property owners didn't like the way the survey was done. He told Mr. Jones if they could help with those property owners, the state was ready and the county was ready to build road and pave it. He added it was hoped road to all rural church could be paved but not much progress is being made because property owners will not give right-of-way.

Mr. Jones remarked he owned property on Miller Extension and when that road was paved he complained and attempted to stop the road but was told by a previous administration, in direct words, that if he didn't sign, the road would be paved anyway, his property would be condemned. He said it was hard to believe three people could inconvenience all the others travelling this road.

Chairman Anderson said that was a prior administration and any decision now was up to this Board. He remarked this is a common problem, there are several with the same situation, he knew of a incident where one person is stopping a project.

Commissioner Smith asked when priorities would be reassessed. Chairman Anderson said it would be this summer. Commissioner Smith said he thought a study was needed on how many roads

have problems, see what is stopping the project, how many property owners, how much land involved and see what action is needed.

Commissioner Lee said he would like to have a call meeting in next thirty days to meet with county attorney and county engineer to assess if it's feasible to condemn on roads were most property owners have signed.

Chairman Anderson said the Board appreciated Mr. Jones bring this to the Board's attention and, as he heard, the Board's is interested in getting these situation resolved.

Chairman Anderson recognized Mr. Mike Bray. Mr. Bray stated he lived in the Hubert Crossing area near Stilson in the Hayes Lake Subdivision and he and other property owners were present to discuss a situation which has developed. He presented maps and covenants and said all property owners in Hayes Lake which was developed in 1987 were given covenants which referred to their property as well as property adjacent to them. He continued this was a planned subdivision, with covenants there must be stick-built homes with minimal square footage, mobile homes would not be allowed and other restrictions. He remarked property owners in this area had made a substantial investment in their property, from \$100,000 to \$300,000. He said their concern is that a certain individual has procured an eleven acre tract of land at entrance of this subdivision and has made maneuvers and overtures to sell lots from one to three acres as mobile home sites. He said their appeal was for the Commissioners to review this situation in depth and this appeal has no other motivate other than to uphold the rights of property owners involved. He remarked he and his neighbor realized there was a lot of controversy concerning zoning in the county but this situation was a prime reason for zoning in the county.

Commissioner Smith asked if plan for mobile home area was approved by Planning Commission. Mr. Dodgen responded, saying there have been several different plans submitted to Planning Commission on this property and, to the best of his understanding, property was purchased by Mr. Bell in the '80s and divided this tract in to six lots all on existing paved road and, under old Ordinance being used at that time, he was exempt from coming to Planning Commission.

Commissioner Lee asked if property was purchased before the subdivision, before the protective covenants. Mr. Dodgen explained, it was his understanding, there were no covenants recorded on this particular tract. Mr. Hayes added there was no blanket covenants on the property, original covenants were being amended to include each lot as it was sold.

Chairman Anderson asked Mr. Dodgen what can be done now, under the present situation. Mr. Dodgen said he wasn't an attorney, but to the best of his knowledge, there isn't anything Bulloch County can legally do to prevent him from selling those six lots for any purpose. He added he had studied this situation a lot and he didn't know of any rules which have been broken.

Commissioner Hodges asked if Mr. Dodgen and Mr. Franklin could review this situation to see if is anything that can be done.

Commissioner Smith said this needs to be done and this is one of major reasons zoning is needed, some people don't care anything about surroundings, they are from out of town, using out of town investments and there are many problems in many areas of the county for this reason.

Commissioner Hodges offered a motion for Mr. Franklin and Mr. Dodgen to review this situation and give a legal opinion of what, if anything, can be done. Commissioner Alston seconded the motion and it carried.

Chairman Anderson called on Mr. W.P. Clifton. Mr. Clifton was not present but his son, Danny Clifton, asked to speak. He said zoning was a two sided coin and Commissioners may have decided zoning is right for the county but have the Commissioners been to a zoning meeting in another county and if not, he suggested they do so, because there are some things that are going to happen in this county in the next few years about zoning. He commented the situation just discussed is not the first and it won't be the last. He said people who own land have rights too and shouldn't be told what they can do with their land. He added he knew there was merit in zoning but there was also a lot a merit in people having their personal lives.

Chairman Anderson said that concluded items on the agenda and asked for other business or comments.

Ms. Lorie Hendrix asked to address the zoning issue. She began by saying it was against the Constitution to deny people the right to own land and read part of the fourteenth amendment. She said not everyone in the county was aware of the way the Commissioners want to make zoning. Chairman Anderson remarked that zoning was not the Board of Commissioners' zoning, the Board did adopt the concept and appointed a citizens committee of forty citizens to develop zoning. He said the Board was waiting for that Committee to recommend a plan to the Board.

Ms. Hendrix said there were a lot of people who couldn't afford big homes, they can only afford mobile homes and shouldn't be denied the right to buy land in Bulloch County but, as

zoning was proposed, ten acres would have to be purchased. She commented that people from lower incomes should be considered.

Chairman Anderson said if there were other who wanted to speak on zoning, comments would be limited to a few minutes for each person. There were several different people who made comments, one of these being Mr. Homer Smith who said he worked hard to pay for his land and he didn't work for his land for somebody to tell him what he could do with it. There were comments in favor of zoning and comments opposing zoning. The main opposition was with the Ag-10 classification. The general feeling was if zoning is implemented, it be done correctly.

Chairman Anderson remarked the plan was not ready to be presented to the Board for consideration, the Zoning Committee is still working on the plan and encouraging everyone to come in and give comments. He added the Zoning Committee welcomed these comments, they need citizens' help.

Chairman Anderson asked for other business or comments. Mr. Wayne Franklin presented, a resolution requesting "Settlement Road", county road #913, be preserved and properly maintained by Bulloch and Evans Counties. Chairman Anderson accepted the resolution for Board consideration.

Chairman Anderson stated an Executive Session was needed for discussion of legal matters. Upon motion by Commissioner Hodges, seconded by Commissioner Alston and carried, the meeting was moved into Executive Session for discussion of legal matters.

Regular session was reconvened. Chairman Anderson asked for other business or comments. Upon motion duly made, seconded and carried, meeting was adjourned subject to call.


ATTEST


E. Raybon Anderson

April 12, 1994
Statesboro, Georgia

Called Meeting

The Board met in the Community Room of the North Main Annex at 12:00 A.M. for a called meeting with Chairman Anderson, Commissioner Alston, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present. Commissioner Simmons was absent.

Chairman Anderson called the meeting to order and welcomed the new media and four visitors. Mr. John Scott gave the invocation.

Chairman Anderson announced one purpose of this called meeting was to review the proposed millage rates. He asked for discussion and questions on this subject.

Commissioner Alston said he understood the county had finally completed the reevaluation process and asked Mr. Scott to comment on the amount of growth as result of reevaluation.

Mr. Scott explained the reevaluation process began in 1989 and overall increase in digest when compare 1993 digest to 1992 digest is about 25.5%. He added, if look at five year history, the normal growth increase has averaged 5% to 6% and this 25.5% increase would include that normal growth which leaves approximately 20% as net increase as result of reevaluation. He brought one area to the Board's attention, the exemption amount, and noted this had increased sufficiently which is due largely to the conservation use program.

Commissioner Lee if total county value of \$598,083,332 was 40% of fair market value. Mr. Scott said yes, that was correct.

Commissioner Beacham said there was no way to differentiate or ascertain how much of 25.5% is normal growth as opposed to digest increase from reevaluation, that is not maintainable record. Mr. Scott said no, this is based on normal growth based on history.

Commissioner Lee asked what difference in income would there be for .4 of mil, if incorporate rate was 11.22 versus 11.66. Mr. Scott said a rough estimate would be around \$240,000 on total digest. Commissioner Lee commented that would be the millage rate assuming millage was rolled back by 25% as reflected in digest growth which would still leave about \$120,000 net tax increase, \$240,000 difference in income.

Chairman Anderson commented that was budgeted and if reduction is made, budget would have to be amended, 11.66 millage funds budget approved for 1993-1994 fiscal year.

Commissioner Hodges said if millage is left at 11.66 and budget is worked in May-June, at that point if budget does not increase, millage could be dropped this year based on how the

the budget comes in this year.

Commissioner Hodges offered a motion to leave proposed millage at 11.66 for incorporated areas and 9.99 for unincorporated areas to be review in September. Commissioner Alston seconded the motion. In discussion Commissioner Smith commented tax notices were five months late this year which means two set of tax notices will be sent this year and no one knew that effect this will have. Commissioner Lee asked how much has the millage rate been rolled back. Chairman Anderson said based on information from Mr. Scott, roll back was 20.32% on incorporated and 17.82% on unincorporated. Motion to leave proposed millage at 11.66 for incorporated areas and 9.99 for unincorporated areas carried, with all Commissioners voting yes except Commissioner Beacham who voted no.

Chairman Anderson remarked required advertising for millage will be run on Thursday and official setting of the millage will be two weeks from then and Board will need a called meeting to set the millage.

Mr. Scott advised the Board of Education has to follow the same criteria for setting their millage and plan to present a proposed millage in a meeting tonight, so hopefully, their advertising will run on Thursday also. But he understood, because of schedule problem, they couldn't have a meeting two weeks from Thursday, would probably meet the following Tuesday.

After some discussion it was decided call meeting to set the millage wouldn't be needed, it could be set at time of regular meeting on May 3rd.

Chairman Anderson said other item for discussion was the figures provided to Commissioners by Mr. Herb O'Keefe. He added no official action would be taken but some Commissioners had asked for discussion in this meeting. He said he would like to see some meetings with Hospital Authority, accountants, or whomever and would like for Commissioner Hodges and Commissioner Smith, who serve on a subcommittee, to discuss with respective bodies and report to Board.

Commissioner Hodges commented, whether he was on the committee or not, he personally wanted to investigate further, the Hospital Authority can explained what they have done, which they are willing to do.

Commissioner Beacham agreed it needs to be reviewed. He remarked at the meeting at Ogeechee Tech he sat next to Mr. O'Keefe who thought the approach of Hospital Authority was ultraconservative. He added, as he understood it, the Board approved the Authority's Needs Assessment which simply said facility needs updating, but didn't say how. He asked if his understanding was correct.

Mr. Ramsey Jennings said he understood the resolution to support the Certificate of Need that was submitted in December and that Certificate of Need requested approve to construct on Grady Street site.

Mr. Wood said the Certificate of Need specifically requested approval for expansion at the Grady Street location. Mr. Jennings said that was correct.

Commissioner Lee said he had serious reservations about second guessing any Authority, whether the Hospital Authority or any organization the Board appoints. He continued they have study this issue in depth, its been very controversial and he didn't feel they should be asked to open it back up to public debate and further study by them. He added he felt that it a tough issue and they dealt with it the best they could.

Mr. Jennings said the Authority feels very comfortable with decision it made and their understanding of the figures and what Mr. O'Keefe has presented. He added once he take Commissioners through those numbers and let them understand the other side, they might feel the decision is ultraconservative, but he thought they will probably see why suggestions and proposal are not workable. He said those figures financially are accurate, certainly it can be done, but the question is should it be done. He remarked it's a judgement matter. He added the Hospital Authority has decided it should not be done, that it's too much financial risk.

Commissioner Smith said the key issued to be addressed, and the Hospital Authority has been addressing, is the community's future needs for medical facilities in the county and regionally. He commented anytime there is this amount of concern from various group some review is needed, look again at what's been done. He remarked the Board voted to give it's full support to the Hospital Authority with this project which at that time it seemed the thing to do, but he thought since that time some Commissioners have had some serious reservations. He said a number of things have been presented that have raise some questions, whether these questions have merit he didn't know, but did think further study is needed.

Commissioner Alston said any time he had talked with Mr. Jennings or Authority members they have always been open to any comments or inquiries. He commented based on his knowledge of Mr. Jennings and the Authority he couldn't imagine someone saying they weren't willing to talk. He

said he hoped the different groups could meet soon so the bickering and dissatisfaction can be settled once and for all.

Chairman Anderson said if he understood what's been said, the Commissioners would like for the groups involved to meet and workout what's best for Bulloch County.

Chairman Anderson asked for other comments. Commissioner Alston commented the committee to name the perimeter road had met a couple of times and will receive suggested names through June 1st.

Chairman Anderson asked for motion to adjourn. Upon motion by Commissioner Hodges, seconded by Commissioner Smith and carried, meeting was adjourned subject to call.


ATTEST


E. Raybon Anderson

April 21, 1994
Statesboro, Georgia

The Board met at 8:00 A.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and 50+ visitors. Commissioner Smith gave the invocation.

Minutes of the regular meeting on April 5, 1994, minutes of Executive Session on April 5, 1994 and minutes of called meeting on April 12, 1994 were reviewed. Commissioner Simmons offered a motion to accept minutes of the three meetings as distributed. Commissioner Lee seconded the motion. Commissioner Beacham asked that minutes of called meeting on April 12, 1994 be amended to record that he voted against motion setting proposed millage rate. Motion to accept minutes of the three meetings were carried with minutes of April 12, 1994 amended as requested by Commissioner Beacham.

Chairman Anderson said first item to be handled was a Proclamation declaring April as "Child Abuse Prevention Month" in Bulloch County. He called on Ms. Adele Davenport to speak on this program. Ms. Davenport said, as much she hated to admit, there is child abuse in Bulloch County with over 130 cases reported in 1992. She explained programs provided to help high risk families and promote the well being of children in general. She thanked the Commissioners for their support and interest in the well being of children who are victims of child abuse.

Upon motion by Commissioner Alston, seconded by Commissioner Simmons and carried, proclamation declaring April as "Child Abuse Prevention Month" was signed and presented.

Chairman Anderson asked Commissioner Smith to present first item of old business, naming of architect for judicial complex. Commissioner Smith said an active committee has worked on this project for about four years. He continued the committee has reviewed many architectural firms, recommended two to the Board and the Board visited several sites these two firms designed and constructed.

Commissioner Smith offered a motion to contract with Eckles, Martin & Rule for planning, design and construction of a judicial annex and renovation of existing courthouse. Commissioner Hodges seconded the motion and it carried.

Next item for discussion was closing of county road #94. Chairman Anderson explained this was a dirt road in western part of county which links Bulloch and Candler counties. He said the road is presently closed because the bridge is out but Chandler county would like to replace the bridge and reopen the road. He said there were some citizens who wanted the road to remain closed. He asked for discussion.

Mr. Bill Hook asked the Board to table decision on this subject for thirty days to allow them time for more research.

Commissioner Lee commented he had promised Mr. Hook he would look at the road but didn't have an opportunity to do so. He said he had planned to ask it be tabled until the next meeting but would leave time frame to the Board.

After some discussion Commissioner Lee offered a motion to table this item until second meeting in May. Commissioner Hodges seconded the motion and it carried.

Road contracts were first items of new business. Chairman Anderson presented contracts with Department of Transportation for widening and overlay of Ash Branch/Arcola Road and parking lots and drives for Stilson Elementary School.

Upon motion by Commissioner Hodges, seconded by Commissioner Beacham and carried, contract with Department of Transportation in the amount of \$232,729.53 to widening and overlay Ash Branch/Arcola Road was approved.

Commissioner Alston offered a motion to approve contract with Department of Transportation in the amount of \$19,411.25 for paving of parking lots and drives for Stilson Elementary School. Commissioner Simmons seconded the motion. In discussion Commissioner Lee asked if this contract included paving area where gym now stands. Mr. Tatum said he didn't know but didn't think is included this area.

Commissioner Alston amended his motion to approve contract for paving of parking lots and drives for Stilson Elementary School provided it doesn't included area where gym stands. Commissioner Simmons seconded the amended motion and it carried. Mr. Tatum will verify this before contract is signed.

Chairman Anderson asked for other business. He recognized Mr. Terry Cole. Mr. Cole said he was speaking not only on behalf of "Concerned Citizens for Health Care Excellence" but for others who are also concerned with health care. He remarked the question is "do we renovate or do we build new". He continued their purpose is not to be an advocate for any one position but to ask for focus on the fact that the community is divided and the issue of good relations between the medical staff and the hospital administration and good relations between the hospital and the community are much more important than the question of whether to renovate or build new. He said they proposed three steps of action: (1) place this matter before voters in October; (2) Board asked Hospital Authority to agree to building moratorium until the vote; (3) Board asked State Health Planning Agency to temporarily suspend or withdraw the approved Certificate of Need. He said they employed the Board to listen to both sides of the issue. Mr. Cole relinquished his remaining time to Dr. Herb O'Keefe.

Dr. O'Keefe thanked Mr. Cole for allowing him to share this time. He introduced himself and gave his qualifications in the area of public finance. He said he represented no interest, was not a member of any coalition other than his own as a citizen. He said he became interested in this project as results of attending a public meeting held by the Hospital Authority. He remarked he attended this meeting without any opinion on the issue but the hospital consultants convinced him a new hospital could be built. He continued the focal point is whether to spend \$32,000,000 to \$38,000,000 to renovate a hospital on a 1930 chassis or whether to invest \$35,000,000 to \$45,000,000 on a new hospital. Using the hospital projections, he emphasized using the hospital projections, its been demonstrated the hospital can be built with revenue bonds with adequate protection. He said building a new hospital involves a risk, anything new involves a risk, there is a risk in the renovation approach as well as new hospital approach. He said they were prepared to meet with anyone to review the proposal.

Chairman Anderson recognized Mr. Hal Roach. Mr. Roach said he represented the medical staff and had been asked to make this presentation on their behalf. He said he had several handouts, the first being a letter dated March 31, 1994 from the medical staff to the Hospital Authority which confirmed to the Authority that Dr. Steven Gottlieb, Chief of Medical Staff, did in fact speak for, vertically, the entire medical staff in his statements to the Authority. Mr. Roach commented this letter was signed by thirty-seven of the thirty-eight members of the medical staff. He read the names of doctors who signed this letter, the majority of who were present. He remarked the medical staff is certain it would be a major mistake to renovate as proposed by Hospital Authority. He said they believe a new hospital is only feasible way to provide health care for the next decades, other solutions are short term and will not work. Another handout was comparison of major differences between renovation versus new, among the key differences were land area, ambulance access, helicopter access, structural cost advantages, timely completion of construction, attraction of new doctors. Mr. Roach said they submit an independent analysis will prove that there is no difference in cost of new versus renovate and further submit that no additional taxes are required with repayment financed through revenue bonds. He remarked he couldn't understand how the Authority concluded spending \$40,000,000 on a new hospital would require \$20,000,000 in general obligation bonds to be paid back in 20 years but voted to spend \$32,000,000 over 10 years and pay of that out of pocket. He presented a letter from Alex Brown & Sons, an investment banker and a leading issuer of revenue bonds and hospital bonds, to Dr. Gottlieb as results of receiving financial study and reports from hospital and say key point of this letter was that preliminary analysis provided to hospital assumed a much more conservative approach than customary. Mr. Roach also referenced an article of an interview with Mr. Jim Sherman, a Philadelphia area health consultant, in the Statesboro Herald following the Hospital Authority's public meeting. He read parts of the article which in essence said "renovating the Bulloch County hospital would seriously damage the quality of care,

and a new hospital could be built easily without county assistance". The last handout presented by Mr. Roach was a letter from Health Management Associates to Hospital Authority Chairman Richard Bird which proposed HMA would provide capital for a new, state of art facility, lease the existing hospital until new one is completed and purchase the net working capital, \$30,000,000, of Bulloch Memorial Hospital. Mr. Roach stated the purpose of showing this letter was not to specifically endorse this type arrangement but, he thought this illustrated how far off base the figures are, if these people can do it, we can do it, they would have to invest \$75,000,000, we would have to invest about \$35,000,000. He concluded a commitment is needed and renovation is not a commitment and said medical staff wanted to meet with Commissioners and asked the Board withdraw their support for the Certificate of Need.

Chairman Anderson said he thought the Board agreed there is a crisis in the community which is probably one of the worse crisis they can remember, never seen the community so divided. He commented the Commissioners got involved in this project as mediators last summer, met with both sides, met with groups, met with individuals, but didn't accomplish anything. He said they asked both sides to meet, close the door and stay until solved the problem, that has not been done. He said he didn't blame one side or the other, he blamed both sides. He added he didn't believe it was the old versus the new, didn't believe that was the issue, believe its mainly personalities. He asked for comments from other Commissioners.

Commissioner Beacham asked if it was appropriate to ask the Authority to delay their action, its created such a stir and they showed a willingness yesterday to place the question on the ballot, he thought that was an appropriate action. He said he thought the Authority was willing to place it on the ballot, not old versus new but old versus new with the possibility of a bond issuance.

Commissioner Hodges said the numbers the Authority proposed say there is no way to finance a new hospital without spending \$20,000,000 or issuing \$20,000,000 in G.O. bonds but, based on comments made by Mr. Roach, taxpayers's money won't be needed, can use revenue bonds. He said the question is not whether to build new hospital, everybody wants a new hospital, and, personally, he didn't want any new taxes, but this group says it can be built without taxes and he thought it should be investigated to see if its possible or not. He commented both sides have been heard, but until get somebody who knows the business and could give an unbiased opinion, he didn't how it could be brought to a vote.

Commissioner Lee said, it was his understanding, the only way to call a referendum on this issue is if general obligation bonds are used to finance the hospital, just can't put the question, "would you like a new hospital or would you like to renovate the old one", on the ballot. He said the medical staff he had talked with have all agreed they don't want a new hospital if it takes general obligation bonds to finance it. He remarked he hoped this settled this question of putting this issue on the ballot and the thought the answer to that is no.

Commissioner Smith said he agreed with Commissioner Lee, a referendum of any type would be a mistake, he thought it would divide the community and cause more confusion than already have. He commented this issue has been studied in great depth and both sides have their points but he thought the Commissioners, as county officials, were responsible for appointing an Authority to run the affairs of the hospital and this has been done, these Authority members have made their decision, have sent their plans to the State Health Planning Agency which has rendered a decision on the proposal. He said he wasn't trying to render an opinion other than, as county officials, Commissioners are bound to support people it has appointed to this Authority.

Commissioner Simmons commented he had talked to both sides and he thought there was no question on either side that a hospital can be built. But the main thing missing, Mr. Roach made reference if stay where we are, we are going to loose a lot of customers, but if build a new hospital, that's not necessarily going to bring a lot of customers, the people who can afford health care are going where they want to go regardless of whether new hospital is built. He said he agreed with Chairman Anderson, its got to a point of them versus us and the people are being hurt, who will be hurt in the long run, the citizens. He remarked Bulloch County should be offered the best health care but in order to do this the Authority and the medical staff have to work together to provide this care and unless this is done, whether have new hospital or not, still will not have the best quality of health care. He stated if Hospital Authority and medical staff are not together, the citizens of Bulloch County will hurt for health care.

Commissioner Alston thanked the group for information provided to the Board and said a lot of this information suggested the Authority needs to rethink its decision to renovate the hospital and he hoped the Authority, Dr. O'Keefe and medical staff could make a commitment to

communicate now in an honest way to improve health care, today and in the future. He added the Authority needs to react to this information and he hoped the Authority and the medical staff would make a commitment to communicate with each other.

Chairman Anderson announced this room had to be vacated to allow court to convene and announced this meeting would reconvene in the Commissioners' Board Room.

Chairman Anderson reconvened the meeting and asked for other comments. Mr. Albert Roesel said Statesboro and Bulloch has been growing in 35 years he's been here and its become a shopping center, become an educational center and is headed toward becoming a medical center. He said he thought it would be a real mistake to renovate on present site and be locked in twenty-five years from now when it needs to be expanded again.

Dr. Whitlock commented time is of essence and, as Mr. Roach said, commitment to health care is very important and as a community has to have a commitment to health care if don't should invite the people in who made this proposal to buy the hospital and build a new one. This is kind of progressive management needed in order to compete in today's health care market.

Dr. Tillmans said he agreed that time is of essence, but to consider a private hospital managing the health care of this community would be disastrous for the community as well as for the physicians. He remarked the final conclusion of the study shows health care could be reached equally well with a new hospital or an expanded program and renovation. He said a decision has been reached and everyone should go by it, we cherish this tradition of government.

Comments were made by other doctors. One comment was personalities do get in the way of looking at whole issue, there was no question that new hospital will provide the best long term medical care but its a shame personalities get in the way of looking at facts and figures and that's the major road block to progress. Suggestion was made to strongly consider the HMA proposal. Request was made to slow this process down, temporarily stop Certificate of Need process so all parties can get together, work out differences and see what best options are.

Remark was made that the Board had recently set term limitations for the Hospital Authority and suggestion was made that Board asked everyone who had met the twelve year term limitation to resign, not as a solution to question to build or renovate but for a healing process. Chairman Anderson asked Mr. Franklin to comment on this suggestion. Mr. Franklin explained the Board has no legal power over people appointed, the only power the Board has is in setting terms limits and limitations on reappointments, terms of people in place cannot be changed until reappointment time. He said a request for resignation could be made but Board couldn't force a resignation.

Dr. Randy Smith commented Bulloch Memorial Hospital motto was "expert care close to home" and if don't have vision to move into 21st century will have to change that motto to "Bulloch Memorial - 50 miles, 50 years from Savannah".

Ms. Bobby Smith commented on years involved in training doctors and said 38 doctors who signed the request add up to about 266 years of combined medical training. She said the doctors know the health care field and she thought the Authority and Commissioners should listen to them, not only is there a chance of not getting new doctors in speciality fields, but may lose many doctors that now have.

Commissioner Beacham asked if only way to review this issue is to remove support for Certificate of Need. Chairman Anderson said he thought there were other options, could conduct a study, could take a vote today.

Commissioner Beacham said he had seen so many figures, different accountants could make entirely different conclusions and if have an option without withdrawing the Certificate of Need, his plea would be that when the Authority ask for doctors' participation they get it, but they are not getting it. He commented the problem is nobody is talking, the Commissioners are talking to the Authority, then talking to the doctors, then talking to the Authority, etc, which isn't accomplishing anything. He said he would like to meet with a delegation from all sides and review the figures to reach a mutual agreement. He added if withdrawing the Certificate of Need is only way to stop this project temporarily, he didn't think it was, but personally he thought it should be reconsidered.

Commissioner Alston said he would like for Commissioners to approve the concept of drafting a letter to the State Health Planning Agency to let them know some additional information had been received which Commissioners want to study and ask the process to renovate the hospital be put on hold and Commissioners would contact them within 30 to 45 days. He continued in the meantime he hoped all parties would put forth an honest effort to communicate.

Chairman Anderson asked was there anything short of this action, when send letter to State Health Planning Agency it will send message to that Agency that this community is wishy-washy.

He said if Board wants to take this action, that's fine, but could a few days be taken to see if can communicate further with anyone, look at figures. He added if write this letter, then will have to write another in 30 to 45 days.

Commissioner Alston said his motion was to write the Hospital Authority and ask them to put whatever plans they have to renovate the hospital on hold for 30 days to 45 days to let everybody put forth an honest effort to communicate. Commissioner Beacham seconded the motion. In discussion Commissioner Hodges said he thought meeting of small groups, three each from Hospital Authority, Commissioners, accountants, doctors, could accomplish a lot more and he thought action should be tabled, whether 4 days, 5 days, two weeks, before spending \$15,000,000 or \$40,000,000, need to review and make a good honest opinion rather than make a quick one this morning. He said by quick decision he didn't mean it hasn't been studied, he had studied it every way possible and had changed his mind about fifteen times. Commissioner Smith asked if there was a time limitation on the Certificate of Need. Mr. Roach explained, based on his research, the appeal period expires May 1st, during this time the County possibly could have some influence on whether it receives final approval, the Certificate of Need is good for 12 months after its granted. Commissioner Hodges remarked if decide to build, there is no guarantee a Certificate of Need will be issued to build a new hospital. Mr. Roach said he thought if Commissioners, Hospital Authority and medical staff stood together, Certificate of Need for new hospital would be granted. Commissioner Hodges said he agreed, but just wanted everyone to know, there wasn't any guarantee. Commissioner Simmons said he would like a commitment from both sides, if they can't reach a solution, and he didn't think either side would move, whatever the Board decides he would want both sides to agree, if for new hospital or for renovation, they would work together for the betterment of health care in Bulloch County. He added he was afraid if this doesn't happen, would be in this very same position 10 weeks, five weeks or tomorrow and he agreed to give more time but both groups were going to have to agree to accept whatever decision is made and work together. Dr. Gottlieb said he shared that same fear and he thought the best thing to do would be ask an outside, recognized national firm, who does this professionally, to come in to make a study and a recommendation. He added the medical staff will live by this recommendation. Mr. Franklin suggested that any correspondence to the Authority request them to make a request for an extension of appeal time so that nobody rights are compromised, don't get locked into time limit while trying to conduct study. He said he wasn't sure but he thought the period of appeal could be extended with a request from the Authority and he thought it should be extended until get results of data.

Commissioner Alston amended his motion, he offered a motion to draft letter to Hospital Authority Chairman, Mr. Bird, that they delay any action up to 45 days before renovating the hospital and ask them to request an extension of appeal date for Certificate of Need. Commissioner Beacham seconded the amended motion. Commissioner Hodges asked if make this recommendation to Hospital Authority and they do not accept it, what happens, do they have to accept it. Mr. Franklin said they don't have to accept it, a condition could be placed on the request stating that if they don't honor the request, Commissioners will feel compelled to go directly to State Health Planning Agency. Commissioner Lee said he thought it was down to question of strictly financing and he would like to meet with Dr. O'Keefe and whoever else, just as was done with hospital administration, to get their side of financing and come back in shortest time period possible and vote. He said, personally, he thought if appoint a committee and take 45, 60, 90 days for further study, its going to be more of the same. He repeated he thought it was strictly down to financing and he didn't think another feasibility study was needed. Commissioner Smith said one thing he thought should be considered, if go this route, the Commissioners are basically asking to take over operation of the hospital and asked if his thinking was correct. Chairman Anderson said Commissioners can't do that and he didn't think the Commissioners need it. Commissioner Smith said that was what he was thinking, have an Authority and even though don't always agree, it is the current Authority and are taking a stand that this Authority cannot make that decision, Commissioners will attempt to make it for them. He said he certainly wasn't in agreement with everything that happened, he felt many of concerns expressed today, but he was looking at standpoint of government, the Authority concept was set up to isolate that segment from political influence from whomever the elected officials of the day might be, that was one reason for having appointments which ran longer than current elected officials. Commissioner Hodges said he thought there had to be a feasibility study before vote can be made, whether is \$20,000,000 or \$5,000,000, makes a lot of difference and until have the exact number, how would anyone know. Commissioner Smith commented, basically, two accountants have come up with two sets of numbers, one set shows it will work fine, another set shows it has

potential, if things don't work right, actual cost to county could be as much as the current county budget from ad valorem taxes, there is a potential for doubling ad valorem taxes and he certainly wasn't for that.

Commissioner Alston restated his motion to draft a letter to Mr. Bird, Chairman of Bulloch County Hospital Authority, that they delay their action for up to 45 days in beginning any renovation of the hospital and, as advised by Mr. Franklin, request them to seek an extension of the appeal period. Commissioner Beacham seconded the motion. Motion was denied with Commissioner Alston and Commissioner Beacham voting in favor of motion, Commissioner Simmons, Commissioner Hodges, Commissioner Lee and Commissioner Smith voted to oppose the motion.

Commissioner Hodges said he hated to put a time limit of 45 days, if have feasibility study, it could take longer. Chairman Anderson asked if Hospital Authority should be asked to authorize a feasibility study. Commissioner Hodges said Hospital Authority should be asked either to authorize a feasibility study or listen to figures and if figures still don't add up, ask for feasibility study. Mr. Franklin commented the down side of this is the Board has gone on record with resolution to State Planning Agency supporting the Certificate of Need and appeal time of May 1st is running.

Commissioner Lee said his thought was, and he would offer it in the form of a motion, for the Board to meet with Dr. O'Keefe prior to May 1st to discuss his opinion of how hospital can be financed without any tax exposure to taxpayers and vote either to affirm the Certificate of Need or withdraw support and if withdraw support, deal with feasibility study at that time. Commissioner Hodges seconded the motion. In discussion Commissioner Beacham said since Board did not request but simply endorsed the Certificate of Need, if Board withdraws it's support, do you start the process all over again and it appeared to him it would be better served to request the Hospital Authority seek an extension on appeal time. Chairman Anderson commented he thought Commissioner Lee's motion was for this to happen in next few days. Commissioner Smith said even if this happens in next few days, limiting time too much, he agreed with Commissioner Beacham to ask the Authority to request an indefinite extension until this is resolved. Chairman Anderson asked Commissioner Lee if he wanted to amend his motion. Commissioner Lee said he didn't want to ask the Authority to take any action at this point, after meeting with hospital administration yesterday and when do the same with Dr. O'Keefe will have seen both sides of the study and he would like to take some action before May 1st. Commissioner Hodges said he would like the motion to include a request for Hospital Authority to ask for an extension but since Commissioner Lee did not want to include this in his motion, he withdrew his second to the motion.

Commissioner Lee restated his motion, for Commissioners to meet with Dr. O'Keefe and others who are needed to discuss the financing options for the hospital and re-adjourn and vote either to approve the Certificate of Need or withdraw support of Certificate of Need prior to May 1st. Commissioner Alston seconded the motion. Vote on motion ended in tie with Commissioner Lee, Commissioner Alston, Commissioner Smith voting in favor of the motion and with Commissioner Hodges, Commissioner Simmons and Commissioner Beacham voting to oppose the motion. Chairman Anderson broke the tie, voting in favor of the motion. Motion was carried.

Chairman Anderson stated meeting with Dr. O'Keefe would be scheduled immediately and the Board would meet in time, hopefully, to see what alternative is.

Upon motion by Commissioner Alston, seconded by Commissioner Simmons and carried, meeting was adjourned subject to call.


E. Rayben Anderson


ATTEST

April 25, 1994
Statesboro, Georgia

Called Meeting

The Board met at 7:30 A.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioners Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the new media and twelve visitors. Commissioner Beacham gave the invocation.

Chairman Anderson announced the purpose of this called meeting was to handle the Memorandum of Agreement resulting from meeting held yesterday between representatives of Hospital Authority, Commissioners and medical staff.

Draft of Memorandum was distributed to Commissioners for review. Chairman Anderson asked if there were any comments from audience while Commissioners were reviewing this document.

Ms. Laura James said she was interested, as others were, in getting a very objective study that is independent and in her opinion, to get an independent study, funds for study should be escrowed, put them into an account where the trustee is independent of the process and check signer would not be somebody who could influence the outcome of the study. Dr. O'Keefe agreed with Ms. James's suggestion.

Chairman Anderson said the Commissioners appreciated efforts made by everyone and especially time and effort of Dr. Gottlieb, Mr. Bird, Mr. Jennings, the Mayor, Board of Commissioners and others who were in the meeting yesterday. He remarked the spirit of cooperation showed that when a hard decision has to be made, people will rally and do what's best for all.

Chairman Anderson asked Mr. Franklin to explain the Agreement. Mr. Franklin said this copy was a draft copy of the Memorandum which has a few cosmetic changes written in. He advised a copy of this draft was given to Mr. Charles Brown, attorney for Authority, before he went to Authority meeting last night and this morning Mr. Brown told him some cosmetic changes were also received from Mr. Hal Roach, attorney for medical staff. Mr. Franklin said all these changes, which none were of any substance, have all been incorporated in final document to be executed. He stated medical staff adopted the Agreement by a majority vote, the Hospital Authority passed it unanimously in it's meeting, and the only remaining action required would be consideration by the Board. He added, if the Board acts favorably, the Agreement will be a binding Memorandum of Understanding between the three entities.

Chairman Anderson asked for any questions concerning the Memorandum. Commissioner Hodges offered a motion to adopt the Memorandum of Agreement between the Bulloch County Hospital Authority, Bulloch Memorial Medical Staff and Board of Commissioners. Commissioner Smith seconded the motion. In discussion Commissioner Lee commended Chairman Anderson and all parties involved for working out this agreement and said the public is well served and taxpayers interest protected. Motion adopting Memorandum of Agreement carried. See exhibit #1994-10.

Chairman Anderson said this concluded business of called meeting. Upon motion by Commissioner Hodges, seconded by Commissioner Alston and carried, meeting was adjourned.


E. Raybon Anderson


ATTEST

SEE MINUTE BOOK "E"

May 3, 1994
Statesboro, Georgia

The Board met at 6:00 P.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and twenty-three visitors. Commissioner Alston gave the invocation.

Minutes of the regular meeting on April 21, 1994 and minutes of called meeting on April 26, 1994 were reviewed. Upon motion by Commissioner Smith, seconded by Commissioner Alston and carried, minutes of these two meetings were approved as distributed.

Chairman Anderson said first item to be handled was a Proclamation for the postal carriers food drive. He asked Mr. Wood to review this Proclamation. Mr. Wood read highlights of Proclamation which referenced proper nutrition begin important for children and expectant mothers and the fact that stocks are lowest during the summer at the food bank, which plays a major role in assisting citizens who have emergency food needs. And the fact that the local branch of the National Association of Letter Carriers recognize this problem and joined a national food drive being organized for week of May 9 through May 14 with United Postal Service, the United Way of Bulloch County and the Bulloch County Food Bank joining forces with the National Association of Letter Carriers to conduct the First Annual Food Drive in Bulloch County. The Proclamation declared the week of May 9th through May 14th as Bulloch County Food Drive Week and Saturday, May 14th as Letter Carriers Food Drive Day.

Chairman Anderson recognized Postmaster Morrison, and postal carriers, Joe Bill Brannen and John Martin. Postmaster Morrison commented they all work and live in the county and city and this is their way of giving something back to the community they serve and work with. He said if people will place nonperishables in or beside their mailbox on May 14th, mail carriers will pick them up for delivery to the food bank, this drive includes all postal workers. He said Mr. Brannen and Mr. Martin have put a lot of effort into this project. Mr. Brannen said over 17,000 reminders will be mailed during this week and if only small portion respond to those, should be able to stock food bank for remainder of year.

Upon motion by Commissioner Hodges, seconded by Commissioenr Alston and carried, Proclamation was signed and presented.

Chairman Anderson asked John Scott, Chief Tax Assessor, to present first item of old business, 1993 millage rate. Mr. Scott said proposal millage rate was advertised as required and set at called meeting on April 12th. He remarked the total county digest was \$596,640,649. and millage rate for unincorporated areas would be 10.02 and incorporated areas rate of 11.69. He explained these rates were slightly different from rates originally advertised, .03 higher, but these figures more accurately reflect the actual digest.

Commissioner Alston offered a motion the millage rate presented by Mr. Scott be approved the Board. Commissioner Smith seconded the motion. Motion carried with Commissioner Alston, Commissioner Simmons, Commissioner Hodges, Commissioner Lee and Commissioner Smith voting in favor of the motion and Commissioner Beacham voting to oppose the motion. Millage rates adopted: Unincorporated areas-10.02; Incorporated areas-11.69; Hospital Bond-.07; Library Bond-.09; Fire District-2.02. See exhibit #1994-10

Chairman Anderson said next item, Zoning Board appointments, was for information and advised people selected by Commissioners for this Board have all agreed to serve expect one and he thought this one would also agree to serve. He said formal appointments will be made and made public as soon as Zoning Ordinance is adopted and in place.

For next item, Recreation Board appointments, Chairman Anderson advised Mr. Ray Davis was appointed to unexpired term which is now expiring and recommended Mr. Davis be reappointed for full term, Mr. Bruce Yawn be reappointed for full term, Commissioner Gordon Alston be appointed to unexpired term of Ms. Mary Reddick and Councilman John Newton be appointed to unexpired term of Mr. Johnny Deal. Chairman Anderson stated City Council acted on these appointments in their meeting this morning.

Commissioner Smith offered a motion to approve these appointments to the respective terms. Commissioner Simmons seconded the motion and it carried.

Chairman Anderson advised Mr. Eugene Natson has just resigned from the Recreation Board and this appointment will be handled at later meeting.

Chairman Anderson said Mr. Wood had some good news on grants funds. Mr. Wood said unofficial information from Jim Higdon, Commissioner of Department of Community Affairs, had been received that Bulloch County was recipient of \$10,000 local development assistance grant to be applied toward cost of development of zoning plan.

Chairman Anderson asked Mr. Wood to present first item of new business, bid results and recommendation for paving for East Main compactor site. Mr. Wood referenced letter from Mr. Bob Smith which gave bidder list and bid results.

Commissioner Hodges offered a motion to approve bid from Ellis Wood Paving Company for \$12.40 per square yard or approximately \$15,500. Commissioner Alston seconded the motion and it carried.

Commissioner Beacham asked for status of additional compactor sites. Mr. Smith reported Middleground Community has agreed for site there, Westside Community Center has agreed for site there, a site on Cypress Lake Road is being discussed with Development Authority, attorney's office is working on deed for site at Pretoria Station and AFL-CIO, who owns property on Highway 119, has been contacted and he felt they will allow a site there.

For next items, D.O.T. contracts, Chairman Anderson presented contracts for 12 drainage pipe locations, drives and parking areas for various fire stations and paving of .341 miles on Black Creek Church Road.

Commissioner Alston asked for clarification of two unnamed streams on contract for 12 pipe sites. Mr. Akins located these two sites on location maps. Upon motion by Commissioner Smith, seconded by Commissioner Lee and carried, contract for 12 drainage pipe locations for an amount of \$98,916 was approved.

Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, contract for drives and parking areas at Portal, Bay District, Clito and Nevils fire stations for an amount of \$16,360.15 was approved.

Upon motion by Commissioner Hodges, seconded by Commissioner Alston and carried, contract for paving .341 miles of Black Creek Church Road for an amount of \$13,676 was approved.

Chairman Anderson asked Mr. Akins for update of road projects. Mr. Akins said Old River Road was finalized and was ready to let contract, preparing to let contract on Black Creek Church Road and Nesmith Road will be

let after that, Friendship Church Road is 75-80% completed to point of paving, road from Leefield to Old River Road is cleared. He advised D.O.T. surveyors were in the county and surveying on Amanda Road, Joe Hodges Road and a section of Burkhalter Road.

Commissioner Hodges remarked on company hauling on Old Register Road and said the this company is responsible for repairing that road. Chairman Anderson said they were not allowed to begin hauling until county had an agreement that they were responsible for this repairing this road when hauling is complete.

Chairman Anderson asked for other new business. Commissioner Alston brought the Board up to date on meeting with Altamaha Georgia Southern RDC saying in the last month they have had a Personnel Adversary Committee meeting as well as regular Board meeting. He said as everyone was aware the Governor proposed some realignment of the RDC lines some time ago and also some Regional Development Districts. He said the Altamaha Georgia Southern RDC is looking at some options and he and Commissioner Beacham, who serve on the RDC Board, are looking at option of whether to continue to remain with the present RDC or join another RDC for better service. He added there were several proposals being discuss about that RDC, whether they will survive and he didn't know the answer but would bring all information he had to Commissioners' attention. He said Commissioner Baech might like to add his comments.

Commissioner Beacham said they had also met with Department of Community Affairs Commissioner, Jim Higdon, and would like to ask permission to begin negotiations with Coastal RDC. He remarked there has been some discussion with city on this and didn't propose to make any change at this time until see exactly what Coastal RDC can offer. He said approval to proceed with negotiations had been given by Mr. Higdon, who felt it was appropriate action with things happening in the state and things happening with Altamaha Georgia Southern RDC. He said, unless there was some objection, he and Commissioner Alston along with Chairman Anderson would proceed with negotiations with Coastal RDC. He advised this process has to be complete by July 1st, has to be reviewed by Department of Community Affairs and then goes to Legislator.

Chairman Anderson remarked City and County need to move through this process together and recommendation would be brought before Commissioners and Council before any final action is taken.

Commissioner Smith brought Board up to date on courthouse project since last meeting when architects, Eckles, Martin & Rule, were approved, saying an initial meeting was held this morning to begin the needs assessment for all the different departments. He advised Becky Livingston will be Chairperson of subcommittee to work with members of bar, judges, constitutional officers and other offices to start on needs assessment and evaluations. He added plans are to also appoint a design committee to work with architects.

Chairman Anderson said everyone was aware of status of hospital issue, have a working agreement with parties involved. He remarked private firms continue to call and they are told there is an agreement for an independent study. He announced the first committee meeting was scheduled for Thursday.

Chairman Anderson recognized representatives of M.A.D.D., Ms. Joeleen Forehand and Ms. Verdery Kennedy. Ms. Forehand said they were requesting Commissioners to consider adopting an Ordinance which would make identification checks mandatory when alcoholic beverages are sold. She

presented a copy of the Georgia Code and said they had found a flaw in wording of the Georgia Code which makes enforcement a problem, the word is "knowingly", the current law requires the seller of alcoholic beverages to judge by physical appearance the age of purchaser, the seller can claim that he thought the person was over age of twenty-one so he didn't know he was selling to a minor, the bottom line is the minor obtains the alcohol. She said if State Law is backed up with local Ordinance to require identification check on all alcohol purchased, this would not happen. She commented the last time underage buys were made a local law enforcement buys were made in forty-one of forty-three establishments and of those arrested everyone who pled not guilty was found not guilty by the judges for lack of criminal intent. She stated that there were three fatalities in the county last year which involved underaged drinking. She added, to best of her knowledge, there has not been no other undercover operations by law enforcement because of the actions of the court, seems pointless to do enforcement when loophole in law allow offenders to be turned loose. She presented Ordinances adopted by Dekalb and Gwinette Counties which have similar wording and said they have made a difference in enforcement area. She said they would be glad to answer any questions.

Commissioner Lee asked if they had lobbied on State level to get State Law changed. Ms. Forehand said yes, they have spoken with local legislators and M.A.D.D. Georgia will be adopting legislative goals in September and this is one item they will address.

Commissioner Beacham offered a motion to refer this matter to County Attorney to confer with City Attorney to present uniform Ordinance for Commissioners' and Council's consideration. Commissioner Hodges seconded the motion and it carried.

Chairman Anderson asked for other business. Mr. Franklin advised an Executive Session was needed for discussion of pending litigation.

Upon motion by Commissioner Alston, seconded by Commissioner Simmons and carried, meeting was moved into Executive Session for discussion of pending litigation.

Regular meeting was reconvened. Chairman Anderson asked for other business or comments. Upon motion duly made, seconded and carried, meeting was adjourned subject to call.

Evelyn H. Wilson
ATTEST

E. Raybon Anderson
E. Raybon Anderson

May 17, 1994
Statesboro, Georgia

The Board met at 8:30 A.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and ten visitors. Commissioner Simmons gave the invocation.

Minutes of the regular meeting on March 3, 1994 and minutes of Executive Session on March 3, 1994 were reviewed. Upon motion by Commissioner Alston, seconded by Commissioner Simmons and carried, minutes of these two meetings were approved as distributed.

First item of old business was report on delinquent taxes. Chairman Anderson recognized interim Tax Commissioner Jack Wynn. Mr. Wynn remarked it had been a hectic two month with approximately \$140,000 in tag sales and because of this fact Ms. Smith had not been able to devote full time to delinquent taxes. He asked her to give report on collection of delinquent taxes. Ms. Smith presented report on delinquent tax collection of \$68,113 during months of March and April and said she was happy to report that delinquent taxes were now under the one million dollar point. She added an amount of \$7,414.79 was collected which was never shown on digest as well as \$12,724.97 intangibles and \$10,030 FiFas, making total collection of \$98,282.76.

Chairman Anderson asked when property would be advertised if taxes weren't paid. Ms. Smith said this would probably be September. Mr. Wynn commented in last 60 days they hadn't been able to pursue delinquencies full force but plans were to go back to work on delinquent taxes and hit them hard. He also advised tax bills should be ready to mail by end of week.

Chairman Anderson called on Mr. John Scott, Chief Tax Assessor, to report on mobile home decals. Mr. Scott said the thrust of collection has been changed to his direction supervision and explained objectives were to establish who owns mobile home and where these are located. He added list of some 2700 mobile homes which showed no record of having decal was compiled with first letter sent to 700 of these, a second letter was sent to 300 which did not respond giving them ten days to respond. He said number was now down to 100 and an individual would be assigned to make contact with those who do not respond. He commented process has never been followed all the way through but plans were to issue citations and carry to Magistrate Court when necessary. He said they were in good position to follow through and collect these taxes, the goes right to the heart of fairness.

Mr. Wood said there had been some discussion of who would be responsible to make contact with those who don't repond and he wanted to inform Board that this would be handled in afternoons by an employee in Mr. Scott's office.

Mr. Scott said they planned to use existing resources and make this process as cost effective as possible.

Chairman Anderson thanked Mr. Wynn and Mr. Scott for job their offices were doing.

Chairman Anderson said next item on agenda, close county road #94, was incorrectly worded, it was to be discussed. He said this was road near Lotts Creek Church and asked if there was anyone present who had interest in this issue. He commented a group had previously asked for a month delay on

this issue and asked if they have been given time requested.

Commissioner Hodges asked if this was road which Chandler County had acquired state funds to replace bridge. Chairman Anderson said yes, that was correct.

Commissioner Hodges offered a motion that road remain open. Commissioner Beacham seconded the motion for matter of discuss. In discussion Commissioner Beacham question if it needed action, wasn't road open. Chairman Anderson said it was open. Commissioner Smith asked if it had been a month since group made request for delay. Mr. Wood said it wasn't in minutes of the last meeting which indicated they had been allowed the delay as requested. With no action necessary, Commissioner Hodges withdrew his motion.

With no response to question of other old business, Chairman Anderson presented contract with Systems & Methods, Inc. for food stamp delivery. He explained this was contrac with same company which county had used for severaly years with no increase in rates, same contract as last year.

Commissioner Hodges asked cost of this program. Chairman Anderson said cost was approximately \$36,000. a year. Commissioner Smith questioned certificated mailing, saying half of cost was for certified mailing. It was explained certificate mailings were those where recipients have said they were not receiving their food stamps and were to insure proper person received food stamps, most of ones being mailed certified were delivered by post office until March of last year when they discontinued this service. Department of Family & Children Services will be contacted regarding number of certification mailings.

Commissioner Alston offered to approve one year contract with Systems & Methods, Inc. for food stamp delivery. Commissioner Simmons seconded the motion and it carried with Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Lee and Commissioner Smith voting in favor of motion, Commissioner Hodges voting to oppose the motion.

Chairman Anderson asked Mr. Wood to present next item, AWOS System for airport. Mr. Wood said explained this system is an Automated Weather Observation System for airport. He reported bids for the system were opened last week with bid of \$78,030 which will be funded by 75% federal funds and 25% local funds or \$9,755 each for the city and county. He said the request was Board's approval of \$9,755 to enable airport to qualify for this federal grant. He added this request would also be submitted to City Council today and commitment was needed today to meet deadline for grant.

Commissioner Smith offered a motion to accept bid for AWOS system and approve county participation of \$9,755. Commissioner Hodges seconded the motion. In discussion Commissioner Beacham asked how this would be funded. Mr. Wood explained this has been a budgeted item. Commissioner Smith said some of expenditure could possibly be recuped from sale of present manual system. Motion to approve funds of \$9,755 for AWOS system for airport was carried.

Next item was status report on Employee Group Health Insurance Plan. Mr. Ted Wynn remarked about a year ago the Employee Benefit Committee, a Committee appointed by Mr. Wood, recommended a partial self-funded employee group health insurance plan which the Board approved. He said, under this plan, premiums to the county and employee was lower and a dental plan as well as a drug card, which county did not have before, were added. He said

one year has been completed under this plan and asked Clerk Evelyn Wilson to give current status of the plan. Ms. Wilson remarked this plan has worked well with the present administrator with reports provided which were never provided by previous carrier. She reported after one year \$97,894 was retained in the insurance fund which, under previous plan, would have gone to the insurance carrier. She added other benefits were being considered which will no additional cost but hopefully will be a saving to the county and employees. She said they were very pleased with first year in partial self-funded insurance plan. Mr. Wynn added a lot of positive comments have been received from employees about this plan.

Chairman Anderson asked for other new business. Commissioner Lee said the Statesboro Convention and Visitors Bureau's annual meeting, which is open to the public, will be held June 16th at the Kiwanis Fairgrounds and they are bringing to town a portion of a cultural play called "Swamp Gravy". He said the Convention and Visitors is requesting a donation of \$200 from the county toward cost of production. He remarked members of Bulloch County Bicentennial Committee, of which he is Chairman, are interested in having a similar production for Bulloch County's Bicentennial. He said directors of this play will be here an extra day to give members of Bicentennial Committee some help in developing similar production for Bulloch County.

Commissioner Lee offered a motion to approve donation of \$200 to Statesboro Convention & Visitors Bureau toward cost of cultural play "Swamp Gravy". Commissioner Hodges seconded the motion and it carried.

Commissioner Hodges said he would like for letter to be sent to Northland Cable News on behalf of Commissioners thanking them for gift of Emergency Notification System. He added the value of this system was very apparent during the storm on Sunday night. Mr. Wood will draft letter to Northland Cable News for Chairman Anderson's signature.

Commissioner Smith gave update on judicial complex project, saying Review Committee has been appointed to work with architect on need analysis, the first item to be accomplished is very comprehensive analysis. He said one of the first consensus of this Committee is need for a thorough study of new technology available for county departments which could expediate information and also could answer complaints of related offices being located in different buildings. He remarked Georgia Tech has an extension program which gives assistance with such studies and the Savannah office has offered to meet with Mr. Eckles to review needs and give recommendation.

Commissioner Beacham commented on Zoning Plan and asked Ms. Hill to give update on status of this project. Ms. Hill said final review of citizens' comments had been completed and zoning maps were vertially complete. She advised text should be finalized shortly with Public Hearing proposed in July.

Commissioner Alston presented two items. He said Perimeter Road Name Committee was receiving suggested names for the perimeter road and this would continue through June 1st. He also advised that LPS Construction has notified him that wall plaque for jail has been received.

Chairman Anderson reported the first meeting of Hospital Committee had been held and said it was a productive meeting. He said letter would be sent to six Big Six consulting firms giving them until May 27th to respond if they would like to be considered to perform hospital study. He remarked a meeting will be held with each firm which responds to select one to

perform the study. He said they hope this can be done in next few days, want to move quickly but want it to be right, be a quality, in depth, unbiased, study. He said the committee was officially named the Hospital Feasibility Committee and he will keep Board updated on this Committee as it progressed.

Chairman Anderson said Mr. Thomas Knight has asked to be on the agenda and asked if Mr. Knight was present. There was no response and Chairman Anderson asked for other business or comments.

Commissioner Alston said he had received a letter from the Executive Director of Altamaha Georgia Southern RDC voicing concern of Bulloch County's consideration of joining another RDC.

Chairman Anderson said a Executive Session was needed to discuss one legal matter. Upon motion by Commissioner Hodges, seconded by Commissioner Smith and carried, regular meeting was adjourned and moved into Executive Session.

Regular meeting was reconvened. Chairman Anderson asked for other business or comments. Upon motion duly made, seconded and carried, meeting was adjourned subject to call.


 ATTEST


 E. Raybon Anderson

June 7, 1994
 Statesboro, Georgia

PUBLIC HEARING

The Board met at 6:00 P.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Lee and Commissioner Smith present. Commissioner Hodges was absent.

Chairman Anderson called the meeting to order and welcomed the news media and 12 visitors. Commissioner Beacham gave the invocation.

Chairman Anderson announced the purpose of this Public Hearing was to review and discuss the 1994-1995 proposed county budget and to give the opportunity for public comment. He remarked the proposed budget was open for discussion.

Mr. Bill Akers had questions concerning several items in the budget. These were:

Collection of fees, fines, forfeitures. Chairman Anderson explained collection of fees, fines, forfeitures were court matters and collected by the court.

How amount from timber sales was calculated. Mr. Wood said amount of timber sales was based on previous year's revenues. Chairman Anderson commented the county attorney is working on a Timber Harvesting Ordinance which should help with collection of tax on timber sales.

Total amount of dues & subscriptions. Mr. Wood explained \$6,000 in dues & subscriptions was paid to State of Georgia in order for E.M.S. to be certified to collect medicaid payments.

Total amount for telephone charges in annex, \$2500 being in the Building Inspection. Mr. Wood explained the Building Inspector had a mobile phone which probably saved money. Commissioner Beacham commented, for an office which does this amount of work and has two phones, one being mobile which minimizes trips back to the office, he thought \$200 a month was prudent use.

\$100,000 for zoning, creating another bureaucracy if zoning passes, another department. Chairman Anderson said this was an estimate. Commissioner Beacham commented, Board had been asked for Zoning, citizens have asked for Zoning. Mr. Wood explained the amount in the budget was much less than amount requested (\$150,000) by forty member Zoning Advisory Committee.

Voting equipment of \$60,000. Chairman Anderson explained savings on printing of ballots for four elections will pay for this equipment.

Salary and total expenses for Public Roads. Mr. Wood said county had 1100 miles of unpaved roads and C.C.I. is being operated more efficiently than ever before.

County fire program, city fire calls \$9,000, county fire department \$43,000. Mr. Wood explained cost for city fire calls was based on number of fires where city fire department backs up rural fire departments and each county department is funded at level of \$300 per month for operational cost plus an additional amount was included in the budget for major equipment repairs on older equipment.

Liability, property and casualty insurance premiums of \$325,000. Mr. Wood said insurance coverage for county was bid this year and this was low bid. Commissioner Lee commented county did bid insurance coverage and this bid was considerably lower (\$100,000) than next low bid. Chairman Anderson said one primary reason for high cost of insurance premium was lawsuits against the county.

Commissioner Alston gave budgets of other counties comparable to Bulloch County and said he always like to review what Bulloch County was doing compared to other counties which are similar and he didn't think Bulloch County was out of line.

Chairman Anderson said he didn't think there was an item in this budget which some Board member had not questioned, it had been thoroughly reviewed and studied by the Board. He asked for other discussion on the budget.

Mr. Charles Denmark, Director of Victim-Witness Assistance Program, asked if budget for this program (\$3,000) could be increased by \$3,000 to \$4,000 to include funds for capital expenditure. He said the State Grant for this program is being reduced each year and for this program to continue they have made it clear that more local support is necessary. He said another matter for consideration was operation of State Court and he personally felt there's a need for a full time State Court Judge and Solicitor. He added case load of State Court warrant full time operation and the increase in fines and forfeitures would fund cost.

Ms. Linda Smallwood, President of Citizens Against Crime, presented information of domestic violence in the Georgia and number of cases in Bulloch County. She reviewed locations of shelters and advised there is a '94 federal mandate that each judicial circuit (Bulloch, Screven, Jenkins, Effingham) form a Domestic Violence Task Force with three goals; a shelter for victims of domestic violence, therapy group for perpetrators of violence, protocol for law enforcement in dealing with domestic violence. She said they were asking for a commitment for a shelter in form of land or property, a building or money. She added ^{they} didn't expect the county to carry the entire financial burden for a

shelter and they didn't expect any problem in obtaining grant funds to operate a shelter once it's established.

Mr. Wood asked if churches had been approached to participate in this program. Mr. Denmark said if churches participate, there are too many requirements that have to be met before federal government will participate.

Chairman Anderson asked if there were any other questions or comments on the proposed budgets. He asked amount of each budget being considered be given.

Budget amounts for fiscal year of July 1, 1994 - June 30, 1995:

General Fund	-	\$11,141,714.00
E911 Emergency Service	-	362,745.00
Jail Add-On Fee	-	115,000.00
Civil Defense	-	24,000.00
Fire District	-	196,285.00

Chairman Anderson said final consideration for adoption of the 1994-1995 budget would be on the agenda for the next regular Board meeting on Tuesday, June 21st.

Upon motion by Commissioner Alston, seconded by Commissioner Simmons and carried, Public Hearing was adjourned.


E. Raybon Anderson


ATTEST

June 7, 1994
Statesboro, Georgia

Immediately following the Budget Hearing the regular meeting of the Board was called to order by Chairman Anderson. Minutes of regular meeting on May 17, 1994 and minutes of Executive Session on May 17, 1994 were reviewed. Upon motion by Commissioner Smith, seconded by Commissioner Lee and carried, minutes of these two meeting were approved as distributed.

The first item of old business presented by Chairman Anderson was a Resolution to Borrow. He said this resolution gave him authorization to borrow up to \$1,000,000 if needed. He comment, hopefully, it wouldn't be necessary to exercise this authorization.

Commissioner Beacham said it should be explained this action is necessary because of delay in tax billing and collection, not that county is in bad financial condition, cash flow problem caused by delay in tax collection.

Commissioner Alston offered a motion to adopt Resolution authorizing Chairman Anderson to borrow up to \$1,000,000 on short term basis for county operation purposes if needed. Commissioner Simmons seconded the motion. In discussion Commissioner Lee said all local lending institutions should be contacted before any commitment is made if this becomes necessary. Chairman Anderson said this will certainly be done. Motion adopting Resolution to Borrow carried. See exhibit #1994-11

Chairman Anderson asked Commissioner Smith to discuss next item, computer needs analysis. Chairman Smith said when analyzing needs for courthouse it became apparent of the need for an analysis of computer capabilities in all county offices. He said the Research Institute of Georgia Tech provides a certain amount of free technical service and Charlie Von Ohsen with the Research Institute estimates it will take between two to four weeks to complete overall county computer need analysis. He advised two weeks of

services will be at no cost but anything above that time will cost, maximum would be approximately \$4,000. Commissioner Smith remarked the Department of Community can also provide some assistance in this area and Mr. Von Ohsen said perhaps DCA should be contacted before committed to pay for these services to see if they, or they along with Mr. Von Ohsen, could provide this analysis with no cost to the county. He said the first impulse was to request authorization to spent up to \$4,000 for this project but with this latest information, possibly, there won't be any cost to county. He said since Mr. Von Ohsen was involved he would like for him to remain involved because he could have some expertise DCA doesn't have.

Mr. Wood asked Mr. Franklin if this cost could be considered as part of overall cost for courthouse improvement project and qualify for sales tax. Mr. Franklin said the Code Section says it to be used for capital improvements, but to know what's needed seems to him to be part of the process and he thought it would qualify.

Mr. Wood said he would continue in his attempts to contact DCA and maximize their participation, minimize any cost from Georgia Tech and if there is any difference, it will be funded by sales tax.

With no response on question of other old business, Chairman Anderson said down agenda for new business and asked for discuss of the Resolution for GEFA Loan. Mr. Wood explained this was an application for a loan from GEFA for water and sewer improvements going to the Gateway Park and because this line is in the county, the county has to make the application even though the city puts the line in. Chairman Anderson said this was initiated by the Development Authority but, as Mr. Wood said for application purposes, the loan is made to the county but the city has agreed it's a joint loan with the city and county, there will be a side agreement with the city.

Upon motion by Commissioner Beacham, seconded by Commissioner Smith and carried, Resolution authorizing the County Manger to execute documents on behalf of Bulloch County pertaining to loan funds from Georgia Environmental Facilities Authority was adopted. See exhibit #1994-12

For next item of new business Chairman Anderson presented a contract with Pineland Mental Health for lease of the old Health Department building. He said this was an annual contract for \$27,600. Mr. Franklin said this was a conventional state contract which Mr. Rushing has reviewed the and has pointed out a few minor items to be questioned. However, there is no real problem with the contract. Mr. Wood commented, if the Board felt comfortable in approving the concept of the contract, these minor questions will be cleared before lease is signed.

Commissioner Smith asked what repairs were needed on this building. Chairman Anderson said first estimates were approximately \$50,000, but this could change after further evaluation. Mr. Wood added it would take most of this just to restore the building to habitable state, building needs new roof, there is termite damage, ceilings have fallen, in overall bad condition.

Commissioner Smith offered a motion to approve contract with Pineland Mental Health for lease of old Health Department building subject to minor questions being resolved. Commissioner Beacham seconded the motion and it carried.

Chairman Anderson presented the next item for discussion, E.M.S. building contract and asked Mr. Franklin to present this contract. Mr. Franklin said this contract was also reviewed by Mr. Rushing and the contract is in order.

Upon motion by Commissioner Beacham, seconded by Commissioner Smith and carried, contract with Pearce Building Systems for construction of E.M.S. for the amount of \$378,859 was approved.

Chairman Anderson asked Mr. Wood to present next item, road paving contracts. Mr. Wood referenced memo from Mr. Tatum which detailed the bid process, eleven contractors were invited to bid as well as newspaper advertisement. Three bids were received on road paving projects, Old River Road, Black Creek Church Road, Arcola Road and Nessmith Road with only one bid received on parking lot paving for Forestry Office, four fire stations and two projects at Stilson School. Overall low bid on road projects was Littlefield Construction for an amount of \$651,121.18 and only bid on parking lot projects was Ellis Wood Construction for an amount of \$166,816. Mr. Wood remarked contracts for parking lot projects for Georgia Forestry Unit and Stilson School would not be executed until written confirmation of payment is received from both of those entities.

Upon motion by Commissioner Smith, seconded by Commissioner Alston and carried, contract for road paving projects for Old River Road, Black Creek Church Road, Arcola Road, Nessmith Road for an amount of \$651,121.18 with Littlefield Construction and contract for parking lot paving projects for four fire stations, Georgia Forestry Unit and Stilson School for an amount of \$166,816 with Wood Construction were approved subject to written confirmation for payment of their share from Georgia Forestry and Board of Education.

Chairman Anderson presented request for payment of indigent burial expenses for two people. Upon motion by Commissioner Smith, seconded by Commissioner Simmons and carried, payment for two indigent burials at \$250 each was approved.

Chairman Anderson advised there was an opening on KAB (Keep America Beautiful) board which Board needs to fill. He said the name of Milan Degyansky had been submitted.

Upon motion by Commissioner Alston, seconded by Commissioner Lee and carried, Milan Degyansky was appointed to KAB Board.

Chairman Anderson recognized Ms. Karin Stenberg, Director of Southeast Georgia Keep America Beautiful. Ms. Stenberg said there had been some confusion at first as was true with most new programs but with Board of Directors now in place she saw this as a true beginning point. She said the next step is contacting each county to have agreement officially signed by each governing authority. She added she planned to get some publicity from this process by setting up date for Chairman Anderson to sign and have Mayor Averitt, the Board of Directors and other involved people present for press release. She advised an application had been submitted to the Department of Community for Local Government Efficiency Grant for just under \$5,000 which requires a local match of \$100 from each of the eleven counties involved. She explained this grant was for an efficiency assessment survey of how the eleven counties could work in coordination to collect, process and market recyclables. She asked if there were any questions concerning this program.

Commissioner Lee asked what was county's obligation to this program. Ms. Stenberg explained the program has an annual budget of \$100,000 of which \$12,500 is a cash match divide among the eleven counties based on 1992 population, making Bulloch County's share about \$3,600.

Ms. Stenberg presented a Resolution to obtain the Local Government Efficiency Grant for Chairman Anderson's signature. With agreement of Board, Chairman Anderson signed the Resolution supporting efforts to obtain Local Government Efficiency Grant. See exhibit #1994-13.

Chairman Anderson thanked Ms. Stenberg for her work with this program.

Chairman Anderson announced a son of a county employee has a severe medical problem and county employees are sponsoring a fish fry to raise money to assist with medical and other expenses associated with this illness. He said at the Department Head meeting he had accepted a challenge to purchase or sell five tickets at \$5 each and he was now challenging the other Commissioners. Commissioner Smith pointed out this was being done by county employees on their time and with donations, no cost to the county, truly an employee project.

Chairman Anderson asked for other business or comments. Mr. Wood advised of Board vacancies occurring on several Boards. He said an interim Planning Commission needs to be appointed and four people have been contacted to serve, three of the four are people who have agreed to serve on Zoning Board. These appointments will handled at later meeting.

Chairman Anderson asked for other business or comments. He advised an Executive Session was needed to discuss possible property acquisition for river landing. Upon motion by Commissioner Simmons, seconded by Commissioner Alston and carried, meeting was moved into Executive Session.

Regular session was reconvened. Chairman Anderson asked for any further business or comment. Upon motion by Commissioner Beacham, seconded by Commissioner Alston and carried, meeting was adjourned subject to call.


E. Rayben Anderson


ATTEST

June 21, 1994
Statesboro, Georgia

The Board met at 8:30 A.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and sixteen visitors. Commissioner Hodges gave the invocation.

Minutes of Public Hearing held on June 7, 1994, regular meeting held on June 7, 1994 and Executive Session on June 7, 1994 were reviewed. Upon motion by Commissioner Beacham, seconded by Commissioner Hodges and carried, minutes of these three meetings were approved as distributed.

Chairman Anderson announced agenda would be rearranged so Perimeter Road name could be discussed first. He commented this item was also on the agenda for City Council meeting today and the results of Board's action would be sent to the Council meeting. He asked for report from Committee appointed to recommend name for this road.

Commissioner Alston, Chairman of this Committee, advised the Committee had met last evening and, after lengthy discussion and through an approved voting procedure, the Committee decided on a primary recommendation and a secondary recommendation for naming the perimeter road. He said the Committee voted, by a majority vote, to recommend a unified name throughout the perimeter, including the portion not yet open and also the anticipated

extension not built yet. He gave the primary recommendation of "Bulloch Memorial Parkway" and a secondary recommendation of "Veterans Memorial Parkway". Commissioner Alston thanked the public for all the recommendations for naming this road.

Commissioner Alston offered a motion to name the entire perimeter road "Bulloch Memorial Parkway". Commissioner Hodges seconded the motion for discussion.

Commissioner Simmons thanked the Committee for the hours spent in reaching this point but he had a question of why the road could not have two names instead of one. He said he would like to see the road named "Veterans Memorial Parkway" and "MLK Parkway". He commented "MLK Parkway" did not receive the support the "Bulloch Memorial Parkway" or "Veterans Memorial Parkway" received, but in order to be a progressive county and Bulloch County is a progressive county, this is a golden opportunity to honor two entities. He submitted the road be named "Veterans Memorial Parkway" and "MLK Parkway".

Commissioner Alston said there was some discussion in the Committee meeting for unified name to provide the clearest understanding in giving directions to those using the perimeter and there was also some discussion with Public Safety agencies for minimizing confusion in directions given to these agencies.

Chairman Anderson recognized Mr. Ray Hendrix. Mr. Hendrix said he spoke on behalf of "Veterans Memorial Parkway". He commented he had presented a resolution to name this road early in this process and the veterans of Bulloch County do volunteer work, support Scouting, support other community programs and nothing has ever been dedicated on the behalf of the veterans. He said veterans of this county and this country include all citizens, represent all people, and he felt this is the least the county and city could do.

Chairman Anderson recognized Mr. Bobby Simmons. Mr. Simmons stated the NAACP was the first to present a name for the perimeter road. He said there are numerous cities and towns all over the state and country with roads and streets named for Martin Luther King. He commented community should be considered as a whole, Statesboro and Bulloch County are progressive, show they're progressive, put differences aside and work for betterment of all people. He said they didn't think this was a contest to get the most names, they submitted this name because it was a national name, there were no established addresses on the new perimeter road, no problem in naming this road, if suggested another road to be named for Dr. King, there would be the problem of changing all addresses. He said road could be divided to name one half "MLK Parkway" and one half "Veterans Memorial Parkway" without any confusion.

Others speaking on behalf naming road or portion of road "MLK Parkway" were Mr. Donnie Simmons, Mr. Charlie Lewis and Rev. Early Humphries.

Commissioner Smith said he served on this Committee and it was decided the road did need some name conducive to people coming into the county, using road for transportation, who are unfamiliar with the road and if named in segments, it could be very confusing. He added the primary purpose of the road is transportation, it was not built as a memorial. He said hundreds of names were submitted, many were personal names all of which were worthy of recognition, MLK was certainly considered as a viable option as well as other prominent Bulloch County people, but in final conclusion he thought the

"Bulloch Memorial Parkway" was chosen because it could be used as a place for different types of memorials, with approval of governing authority, different sections of road could be set aside for different memorials as well as that section of road being kept by organization which sponsored the memorial.

Commissioner Smith asked motion be repeated. Motion on floor was to name the perimeter road "Bulloch Memorial Parkway".

Chairman Anderson reminded everyone that Council was also voting on this issue and if they decided on a different name, issue would be brought back to both bodies. He asked if motion was understood. Vote was taken by showing of hands. Motion to name perimeter road "Bulloch Memorial Parkway" carried with Commissioner Alston, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith voting in favor of motion. Commissioner Simmons voted to oppose the motion.

Next item of old business was tax report from interim Tax Commissioner Jack Wynn. Mr. Wynn asked Ms. Smith to give delinquent tax report. Ms. Smith advised the last report on delinquent tax was \$956,838 and that figure has dropped to \$939,271. She said right now the primary goal was to collect highest percentage of '93 taxes possible. Mr. Wynn gave recap of monies collected, \$3,000,000 taxes of approximate \$10,000,000 total were paid on voluntary basis, another \$1,175,000 has been collected since bills were mailed on May 21st which means there is over \$5,500,000 to be collected. He advised advances have been to the County, City and Board of Education.

Chairman Anderson asked target date for advertising property of delinquent taxpayers. Ms. Smith stated they were still shooting for September.

Commissioner Smith asked when tax billing would be back on schedule. Mr. Wynn said Mr. Scott was not present to speak on this, but, hopefully, this year tax bills will be mailed December 1st giving taxpayers option to pay before end of year or defer to January '95 and tax billing should be back to normal by fall of 1995.

Chairman Anderson presented next item of old business, adoption of 1994-1995 budgets. He listed budgets to be adopted:

General Fund	-	\$11,141,714.
911 Emergency Services	-	362,745.
Jail Add-on Fee	-	115,000.
Civil Defense	-	24,000.
Fire District	-	196,285.

Chairman Anderson asked for any discussion on the budget. Commissioner Beacham said he understood the legal requirements for the budget process and changes cannot be easily made without delaying the process, but he had a concern of the battered women's shelter brought to Board's attention by Ms. Smallwood during the Public Hearing. He said if it's possible during the course of the year, make some effort do something for this program, he didn't know what could be done but he didn't wanted them to know this request was not ignored.

Chairman Anderson commented he didn't think any request had been ignored by this Board, every request was considered, there were some many that couldn't be funded and, as Commissioner Beacham said, this one did come late. He said if possible during the year, this program along with others will be considered.

Commissioner Smith said was certainly a needed, legitimate request which needs funding but in reality this request was presented at formal hearing and people need to understand that is almost the point of no return, all ground

work to develop the budget has been done. And as Chairman Anderson said, a lot of these request considered were not funded due to limited funds.

Commissioner Hodges made a motion to adopt 1994-1995 budgets as quoted by Chairman Anderson. Commissioner Alston seconded the motion. In discussion, Ms. Verdery Kennedy asked the Board take serious look at the budget for State Court. She said at this late date it may be impossible to any change in the budget but hopefully there will be monies within the General Fund which can be moved into this needful area. She commented the budget contains provision for salaries for State Court Judge and Solicitor but has no funds for operation expenses. She said she understood the budget included \$15,000 for a secretary to assist with paperwork for State Court, but again there are no funds for operation expenses. She remarked it would be to the county benefit to have an efficiently operated Court which would bring in an additional \$150,000-\$250,000 a year. She ask the Board take this into consideration and designate funds for an efficiently operated State Court.

Chairman Anderson said he had explained to Ms. Kennedy, the Board reacted accordingly to the request from State Court. Commissioner Hodges added salaries of State Court Judge and Solicitor was also discussed, but the Board has no control over these salaries, set by Legislator.

Chairman Anderson asked for other discussion on the 1994-1995 budgets. Motion to adopt 1994-1995 budgets as presented was carried.

Chairman Anderson asked Commissioner Beacham to address the R.D.C. matter. Commissioner Beacham remarked this matter has been discussed for some time, even before this administration was elected and there is a lot of background information which he would not go into. He offered a recommendation in the form of a motion to authorize the County to petition the State to approve the withdrawal of Bulloch County from Altamaha Georgia Southern RDC and the subsequent request for affiliation with another acceptable RDC. Commissioner Alston seconded this motion.

Chairman Anderson remarked Commissioner Beacham and Commissioner Alston serve on the present RDC Board and were asked some months ago to review this matter and make a recommendation.

Commissioner Smith clarified the motion recommended petition to withdraw from Altamaha Georgia Southern RDC but did not include petition for a particular new affiliation. Commissioner Beacham said once it known Bulloch County has withdrawn from this RDC offers from others will probably be received and also this process would probably take about a year.

Motion authorizing petition to State for approval of withdrawal of Bulloch County from Altamaha Georgia RDC was carried.

Chairman Anderson asked Mr. Wood to present information on Board appointments.

Mr. Wood remarked there were several appointments to be made and these would be handled separately. He explained appointments for Planning Commission was for an interim Board to serve until the Comprehensive Zoning Plan is adopted and formal Board is constituted. He presented recommendations for these appointments; Wyman Hendrix David Hainley, James Davis, Ronnie Nesmith and Thomas Ellis, Jr.

Commissioner Hodges offered a motion to appoint persons recommend to serve on interim Planning Commission. Commissioner Beacham second the motion and it carried.

Mr. Wood advised Mr. Bobby Simmons's term on the Department of Family & Children Services Board is expiring on June 30th and Mr. Simmons is willing to serve another term.

Upon motion by Commissioner Alston, seconded by Commissioner Hodges and carried, Mr. Bobby Simmons was reappointed to serve a five year term on Department of Family & Childrens Service Board.

Mr. Wood presented a letter from Ms. Nancy Ray, Library Director, requesting the appointment of Dr. Alice Christmas to fill position previously held by Ms. Ammie Clemons.

Upon motion by Commissioner Smith, seconded by Commissioner Beacham and carried, Dr. Alice Christmas was appointed to serve a three year term on Statesboro-Bulloch County Library Board.

Mr. Wood said two new members were recently appointed to the Recreation Board, Commissioner Alston and Councilman Newton, and almost simultaneously Mr. Gene Natson resigned. He commented there was no recommendation for this position. Chairman Anderson remarked this a joint appointment with City and he would like approval to discuss with Mayor Averitt to have recommendation at the next meeting. Commissioner Alston commented he and Commissioner Simmons had a someone they would like to submit to Chairman Anderson for consideration.

Mr. Wood advised there were some expired terms on the Drug and Alcohol Abuse Council but these appointments are made on rotation basis by the City and County, six appointments each. He added he had asked Mr. Bo Hook, who serves on this Council, to advise which county appointments have expired. He asked the Board to submit any suggestions for this Council to him so recommendations could be made at a later meeting.

Chairman Anderson asked for other old business. Commissioner Hodges asked for report on Hospital. Chairman Anderson said Committee met and decided to send invitation to six "Big Six" accounting firms. And out of six invitations, four firms met with the Committee to present their credentials. Another meeting is planned for next week and firms will be narrowed to two, possibly one. He said they were working under a mandate to have survey complete in November.

First item of new business was a Beer and Wine License Application for Mr. Hilton Shuman. Chairman Anderson called attention to Sheriff Akins's statement and letter from County Attorney Jimmy Franklin. Commissioner Hodges offered a motion to deny the Beer and Wine License as recommended by Mr. Franklin and Sheriff Akins. Commissioner Smith seconded the motion and it carried. Sheriff Akins statement and Mr. Franklin's letter are made a part of these minutes by reference. See exhibit #1994-14.

Chairman Anderson recognized Probate Judge Lee Deloach and Chief Voter Registrar Mary Bray. Judge Deloach said he and Ms. Bray wanted to advise Board on changes in voting precincts and districts. He commented they were successful in splitting the Statesboro precinct, this has been approved by Justice Department. He presented a map showing the old Statesboro precinct which has been split into three precincts, these being the Armory precinct, Fairground precinct and Statesboro precinct (Grady Street). He said roads and main arteries were used for boundaries of different precincts and described area for each precinct. He said the Armory precinct had approximately 3,500 voters, the Fairgrounds approximately 4,000 voters and the Statesboro precinct approximately 3,000 voters, with the three totalling about 11,000 voters. Judge Deloach advised new voting equipment had been

purchased and presented a sample of new ballot. He said this equipment cost approximately \$55,000 but there should be a substantial saving on cost of printing ballots, savings on ballots should pay for voting equipment in two or three elections. Judge Deloach said he and Mr. Wood had discussed advertising to acquaint public with these precinct changes and his original thought was to put each voter's name in old Statesboro precinct in the newspaper underneath their new precinct. This idea was discussed with Mr. McGlamery of the Herald and to do this would have cost \$3000 with the Herald contribution of \$1000. Judge Deloach said Mr. Wood thought this idea was a little excessive and also, as Ms. Bray will explain, notices will be sent to each voter with a precinct or district change.

Ms. Bray explained the procedure to put voters in the correct precinct and the correct district. She stated that anytime there is any change in a voting district or precinct the State requires those voters involved be notified by first class mail advising them of the change. She said there was no choice, this has to be done. She stated this mailing would be nearly 10,000 pieces of mail and the only problem she saw was problem with mailing addresses not being updated, notice of change in precinct will be sent to last known address. She explained people did not always come by the voter registrar's office to change their address when they move. She added if they don't register a change of address, there is no way to know they have moved.

Judge Deloach clarified advertising for precinct change, saying if money was no object, putting each voter's name in the paper under their new precinct would reach a lot of people. He said he didn't think this entirely necessary and, after discussion with Mr. Wood, he planned to put an educational ad in the paper.

Commissioner Smith commented at first he had thought voter names in the newspaper would be less expensive and reach as many people as the mail out, but if mail has to be done, ad would be an additional, unnecessary expense.

Commissioner Beacham asked what Board action was needed. Mr. Wood explained no action was needed, this presentation was planned for the Board's information.

Chairman Anderson said he had a schedule conflict with the regular meeting scheduled for August 2nd. After some discussion Commissioner Beacham offered a motion to change first meeting in August to Wednesday, August 3rd at 6:00 p.m. Commissioner Simmons seconded the motion and it carried.

Chairman Anderson asked Mr. Wood to brief Board on truck purchase. Mr. Wood said Ted Wynn was due some credit for this purchase. He advised a 1985 Chevrolet 4-wheel drive truck with 1100 miles was obtained for \$3000 from Surplus Warehouse in Atlanta.

Chairman Anderson said this was a saving of approximately \$13,000 and commended Mr. Wood, Mr. Wynn and other employees involved in this purchase.

Chairman Anderson asked for other business. Mr. Wood said he had just been contacted by Robert Cheshire, City Engineer, who advised the Federal Grant for the reimbursement for land purchased to extend runway would probably be received before the next Board meeting. Mr. Wood said if the Grant award is made before the next meeting, Chairman Anderson needs authorization to accept this Grant on behalf of Bulloch County.

Commissioner Smith offered a motion authorizing Chairman Anderson to accept Grant for reimbursement for land purchased for runway extension. Commissioner Simmons seconded the motion and it carried.

Mr. Wood remarked the fund raiser for Anthony Braswell, son of employee June Braswell, was a great success and a lot of county employees were to be commended for their participation in this project.

Commissioner Alston remarked he had received a listing of youth workers under summer work program from Ted Fortino, RDC Executive Director. He gave work locations of these jobs and said he hoped to encourage the Recreation Department to be more involved in using some of these employees.

Chairman Anderson recognized Mr. John Tucker. Mr. Tucker said his concern was with the Hospital Authority. He continued it was his understanding the objective of the Memorandum Agreement was to have an feasibility study conducted in an unbiased fashion. He said it has come to his attention that Ramsey Jennings, with the approval of the Hospital Authority chairman, is running a survey of public image of Bulloch County citizens of the Bulloch Memorial Hospital. He stated he thought this violated the Agreement and needs to be stopped immediately and Commissioners take immediate action to investigate.

Chairman Anderson asked Mr. Wood to call Mr. Jennings. Mr. Wood's attempt to reach Mr. Jennings was unsuccessful. Chairman Anderson said he will question Mr. Jennings about this survey and report the findings to the Board.

Chairman Anderson asked for other business or comments. Upon motion by Commissioner Smith, seconded by Commissioner Beacham and carried, meeting was adjourned subject to call.

Evelyn H. Wilson
ATTEST

E. Rayton Anderson
E. Rayton Anderson

July 5, 1994
Statesboro, Georgia

The Board met at 6:00 P.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges and Commissioner Lee present. Commissioner Smith was absent.

Chairman Anderson called the meeting to order and welcomed the news media and fifteen visitors. Commissioner Lee gave the invocation.

Minutes of the regular meeting on June 21, 1994 were reviewed. Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, minutes of June 21st regular meeting was approved as distributed.

First item of old business was discussion of Recreation Board appointment. Chairman Anderson said with resignation of Mr. Eugene Natson there was an opening to be filled and referenced a letter from Chairman of Parks and Recreation Board. Commissioner Hodges asked if one member was being replaced. Chairman Anderson said that was correct. Commissioner Hodges commented the Recreation Board had submitted three names. Commissioner Lee said after reading the letter it was his understanding there were three openings. Chairman Anderson said Commissioner Alston and Councilman Newton was appointed to two openings. He said he thought Recreation Board Chairman's letter was written prior to these two appointments. Chairman Anderson reviewed terms on Recreation Board which showed two expirations and one resignation. Chairman Anderson asked if Board

wanted to fill position for resignation and take actions on others at next meeting. He added he thought three names submitted by Recreation Board were simply suggestions. Commissioner Alston said he and Commissioner Simmons, as requested, had submitted a candidate, Rev. Wayne Rogers has agreed to serve on the Recreation Board. He asked the Board confirm Rev. Rogers and he would bring a report back to the Board on making other appointments.

Chairman Anderson remarked appointment didn't have to be made at this meeting, if it was unclear what action to take, could postpone. He added whatever action is taken will need to be confirmed by City Council. He said Commissioner Alston and Councilman Newton could present recommendations to both bodies. Commissioner Hodges said he would like to postpone until Board was sure of what it needs to do. After some further discussion, Chairman Anderson suggested appointments be postponed until next meeting, giving time to make contact with City Council and Recreation Board. Consideration of appointments for Recreation Board was postponed until next meeting.

Another item of old business was reconsideration of two names recommended by Committee for perimeter road. Chairman Anderson said at the Board's last meeting the Commissioners name the road one name and at the City Council meeting they named the road another name. He said a decision is needed for one name suitable to both bodies.

Commissioner Hodges said he liked and had chosen "Veterans Memorial Parkway" in the Committee. He offered a motion to name the entire perimeter road "Veterans Memorial Parkway". Commissioner Lee seconded the motion. In discussion Commissioner Alston asked for legal clarification of county ordinance to change the name of a road, once a road is named the only way to change road name is petition signed by 80% of property owners who have property abutting road. He said he understood Commissioners have named that road "Bulloch Memorial Parkway" by action in the last meeting. Chairman Anderson said recommendation was made to two bodies, Commissioners and City Council, and they were to select a name on which both agreed. He referenced minutes from last meeting which said if City Council and Board of Commissioners decided on a different name, issue would be brought back to both bodies. He asked for Attorney Steve Rushing's opinion. Mr. Rushing said he agreed with Commissioner Alston that once a road is named there is procedure to follow, the question is whether the road has been named and based on the minutes, since the Commissioners and City Council did have a different name, it would have to be brought back to both bodies. Commissioner Alston asked what steps would be to take issue back to both bodies. Chairman Anderson said he would report Commissioners' action to City Council before their meeting scheduled for tomorrow.

Motion to name entire perimeter road "Veterans Memorial Parkway" carried with Commissioner Hodges, Commissioner Beacham and Commissioner Lee voting in favor of motion and Commissioner Simmons and Commissioner Alston voting to oppose the motion.

First item of new business was Solid Waste Advisory Committee Report by Bob Smith. Chairman Anderson said this report was included in the meeting material and advised Mr. Smith had a problem at one of the recycling centers and wouldn't be present to answer any questions.

Commissioner Hodges asked how busy are the two compactor sites which are open. Chairman Anderson said Mr. Smith commented the Highway 24 site had a slow start but in the same statement said it was hard to tell since garbage

is compacted, don't pick up as often but pick up more quantity. He added Mr. Smith was pleased with operation of the compactor sites.

Next item of business was consideration of increase in hotel/motel tax. Chairman Anderson said the city's hotel/motel rate was 5% and the county's rate was 3%. He continued the county only had two motels involved, Parkwood and Builtmore, really Parkwood is only one involved. He referenced a letter from Statesboro Visitors and Convention Bureau asking county's rate be increased to 5%.

Commissioner Beacham made a motion to increase county's hotel/motel tax to 5%. Commissioner Hodges seconded the motion for the purpose of discussion. He asked if motel owners had been contacted. Board was informed that motel owners have been notified. Chairman Anderson advised the difference in the 3% and 5% would be approximately \$1100 per year.

Motion to increase hotel/motel tax rate to 5% was carried to be effective September 1st. See exhibit #1994-15.

Chairman Anderson presented a contract with Department of Transportation for paving of Old River Road. Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, contract with Department of Transportation in the amount of \$165,416.67 for paving of Old River Road was approved.

Chairman Anderson presented a petition from Lower Lotts Creek Church and property owners to remove an abandoned bridge at Lower Lotts Creek and said they feel they will have less problems with partying and vandalism. He advised this bridge was abandoned when Highway 46 was built twenty-thirty years ago.

Upon motion by Commissioner Lee, seconded by Commissioner Hodges and carried, removal of abandoned bridge at Lower Lotts Creek was approved.

Chairman Anderson asked for other business or comments. He recognized Mr. Hal Roach representing Bulloch Memorial Medical Staff. Mr. Roach said the medical staff was concerned with the Memorandum of Agreement signed by the Hospital Authority, Medical Staff and Board of Commissioners. He said the Medical Staff feel the recent appointment by the Hospital Authority of a committee to consider the sale of Bulloch Memorial Hospital has violated the spirit of the Agreement. He reviewed terms of the Agreement and said the Medical Staff believe the Agreement was entered into in good faith in order to have an unbiased and complete study of the question of could a new hospital be built. He remarked the committee appointed by the Hospital Authority to consider the sale, lease, merger or affiliation with another hospital nullifies and cancels everything accomplished by the joint committee created by the Agreement. He added this new committee was comprised of Authority members only, Dr. Tillman was appointed to this committee but does not speak for the medical staff. He said members of Hospital Authority indicated doctors should be excluded from this committee because of an alleged conflict of interest. But, Dr. Harrison, as member of the Authority, felt he could not be excluded but was given no answer. He said the medical staff protested the appointment of this committee at the Hospital Authority meeting and also brought the issue up at the joint committee meeting and asked, since the Agreement was for a study of whether a new hospital could be financed with revenue bonds and other non-taxing methods or other sources, the Agreement be interpreted to include the possibility of the sale of the hospital since that would be a way to have a new hospital with no tax

increase. He said the medical staff weren't asking to be allowed to decide or negotiate a price but asking only to be included in study process and allow to make recommendation. He said the medical staff asked the Commissioners to put this issue in the hands of the joint committee for study and recommendation and confirm that the Agreement does include the possible sale or lease of the hospital under other financing methods.

Chairman Anderson recognized representatives of the Hospital Authority and asked if one of them would like to make any comments. Mr. Richard Bird, Chairman of the Authority, said Board of Commissioners had charged the Hospital Authority with responsibility of managing Bulloch Memorial Hospital and they take that responsibility seriously. He added the Authority's stated responsibility includes consideration of affiliation by the hospital or even lease or sale of the hospital. He remarked it might be questioned why sale or merger should be considered and said, in these changing times, hospitals across the country are considering this option to insure the provision of adequate medical service for the foreseeable future and beyond. He added changes in health care are occurring which were never expected to occur. He remarked over two years ago they begin discussing formation of alliances with the medical staff and other hospitals, so question of alliance is not new, but unfortunately they have not been able to achieve the kind relationship needed with local physicians. And, as evident to all, relationship has been deteriorating, however, if there was complete unity, it is unlikely that Bulloch Memorial Hospital could now maintain complete independence over the long term. He stated the relationship problems have simply served a catapult for this consideration. He said the Commissioners plays a valid role in this issue for they speak for people of this county as their elected representatives and the county owns the underlying land of the hospital building and so has a direct owner interest in the hospital. He asked Chairman Anderson to appoint a Commissioner to serve as a liaison between the negotiating team and Board of Commissioners as issue of affiliation or sale is considered. He added the role of physicians in this issue is recognized and said there are two physicians who serve on the Authority who can speak, not only from their role as physicians, but as also in a broader role as an Authority member. He said one these physicians, Dr. Tillman, has already been named to the committee to consider this issue and at the time of that appointment Dr. Harrison express his strong interest in this issue. He said he was glad to announce, as Chairman of the Authority, he was asking Dr. Harrison to serve as a member of negotiating team, he was also asking Mr. Arthur Howard, newest member of the Authority, to serve as member of negotiating team. He announced the the negotiating team would be made up of him, as Chairman, Dr. Harrison, Mr. Howard and a Commissioner as liaison and be assisted by Mr. Ramsey Jennings, Mr. Steve Brown and the Authority's attorney, Mr. Charles Brown. He said he didn't believe this responsibility should be turned over to a committee made up of three Authority members and three physicians, while importance of physicians cannot be over emphasized, in the end the hospital is for the care of ill people of the community. And there is another reason why the Authority should make this decision, physicians fall into many categories and specialities, some are independent of the hospital and others are employed by the hospital or under contract to the hospital. He added, as he listens to the physicians, some of them wish the hospital to be sold while others do not and while some were first to

raise this issue others weren't so enthusiastic. He said in these circumstances it is better that objective decision be made by others as some doctors are already perceived to favor a sale. He said this team must be small and must operate in confidence, this is critical, perspective bidders will not make their best offer if they know this offer is going to be the subject of public debate, dispute or disclosure. He added the negotiating team must be small and must operate with confidentiality and a singleness of mind, three physicians and three Authority members cannot now function in that matter. He said he understood the need of the community to know about this process and as soon as an recommendation is made a Public Hearing will be convened immediately so everyone will have an opportunity to know the plans and inquire about those plans. He concluded by again asking a member of the Commissioners be appointed as liaison for this negotiating team, and ask Mr. Roach's request for this issue be sent back to a committee that has a special and limited charge of inquiring old versus new hospital construction be declined. He added any change in the Agreement for new hospital feasibility study would require the joint agreement of the medical staff, County Commissioners and Hospital Authority, the Authority is not agreeable to such change.

Chairman Anderson asked if there were any question. Mr. Roach asked if committee appointed by Authority Chairman to consider sale, lease, etc of the hospital was being reappointed. Mr. Bird said not necessarily, the negotiating team will report its results to this committee who will make recommendation to the Authority.

Commissioner Lee asked Mr. Brown if the Hospital Authority could sell the hospital without approval of the Board of Commissioners. Mr. Brown explained State Law provided for a Hospital Authority, established and appointed by the Board of Commissioners, for the purpose of managing the hospital and related health care issues. And conceptually, under State Law, the Hospital Authority could make the decision to sell the hospital or lease it up to forty years without the sanction of the Commissioners. But, in this instance Bulloch County owns property on which the hospital stands so as a practical matter any negotiations for the sale or lease of the hospital will from necessity come back to the County Commission, not because of general State Law but because the building is owned by the County Commission.

Mr. Roach asked for clarification of previous appointed committee and negotiating team, the committee appointed at the Authority meeting was Tommy Blich, Freddie Blich, Sam Tillman and Arthur Howard. Mr. Bird replied that was correct except he would serve as an ex-officio member. Mr. Roach clarified that this committee was not being replaced, it still exist. Mr. Bird said that was correct, but committee is being expanded to include Dr. Harrison. Mr. Roach clarified that the negotiating team consisted of Dr. Harrison, Mr. Howard, Mr. Bird and a County Commissioner. Mr. Bird said that was correct.

Mr. Roach posed two questions. Since there is a new joint hospital feasibility committee which he thought was working well and making progress and study is be completed by November 30th, why launch a new project to study the sale or lease of the hospital in a different committee before allow joint committee to complete its work. Why would medical staff be excluded from an advisory capacity concerning, not the details of dollars and cents, but the quality of medical care and desirability of sale of hospital from standpoint

of impact on the community in medical care.

Mr. Brown said this issue was considered at some length in the Authority meeting and he informed the Authority that a contract is a contract and they expect to live by this contract but don't expect to modify it. He said when this Agreement was entered into there was a great deal of contention of whether to renovate the hospital or build a new hospital. Under the leadership of the County Commission and the desire of the medical staff and Hospital Authority to bring that question to a conclusion, a three party agreement was entered into and the purpose of the agreement was to study new versus renovate. He stated the word "sale" does not appear in that Agreement which the medical staff, with very good legal counsel, entered into. He said this joint committee should do what it was contracted to do.

Commissioner Hodges asked Mr. Brown if the negotiating team would report to the joint committee or Hospital Authority. Mr. Brown said no, it would report to committee just named, Mr. Freddie Blicht, Mr. Tommy Blicht, Dr. Tillman, Mr. Howard, Dr. Harrison, which in turn would consider that finding and report to the Authority who, before any closing, must have a Public Hearing and, in his judgement, there must be subscription to that understanding by the County Commission because they own the building.

Mr. Roach said he didn't think he understood the answer to why do all of this and also didn't hear an answer to why medical staff was excluded from advisory capacity in question of whether to sell or lease hospital.

Commissioner Hodges said Mr. Roach ask the question of why not wait until November, until after the joint committee has finished. If medical staff wants to wait until November, why do doctors keep bringing different people to different civic club meetings to give speeches to public on why hospital should be sold and stir up controversy quieted down by development of the joint committee. He commented doctors were playing both sides of the fence. He said he thought the Commission was ready to draw the line and come up with some solution, the Hospital Authority was appointed by the Commissioners and the Commissioners tried to get a committee together, which he thought would work when got both sides together, but then they do what they have said they wouldn't do.

Mr. Roach said there was thirty-eight individuals on the medical staff and he couldn't keep doctors from acting individually, all doctors did not vote to approve the Agreement, the majority did, but some did not. He said the majority of the medical staff has held to it, attending the meetings and trying to do their jobs.

Chairman Anderson said last Wednesday this six member committee failed, it "failed". He said he had so much hope this committee and he had told the Commissioner that progress was being made and he thought the mission would be accomplished. But last Wednesday he told everyone at the meeting that he was probably the most disappointed person there, after all the many hours, criticism in the news media, all the work to pull this agreement together, he had ~~so much hope~~ until Wednesday. He continued when he left the meeting on Wednesday, and he had planned to brief the Commissioners tonight, he didn't have any hope for the joint committee. He said he tried to stay as neutral as possible, but it's disgusting to see six people who can't work out their differences, he wasn't blaming either side, but to keep saying let this six member committee function, he didn't have any faith in this six member committee accomplishing very much.

Mr. Roach said he didn't see committee members, Dr. Gottlieb, Dr. White or Dr. Sullivan say anything that he thought was inappropriate.

Commissioner Lee asked if Dr. Harrison's inclusion would do anything to satisfy the medical staff. Mr. Roach said it would certainly be seen as a positive step, but he thought they didn't want was this committee to go to work and cross purposes with joint committee studying a new hospital and cancel out the possibly of a new hospital.

Commissioner Lee asked if doctors on the joint committee would continue to serve. Mr. Roach said certainly, he hadn't heard that they wouldn't.

Commissioner Hodges asked Mr. Roach if group of doctors he represented have any problems with four people being on the negotiating team. Mr. Roach said he had not heard of this negotiating team until tonight and he didn't know how to respond, it was certainly better than previous proposal.

Commissioner Beacham comment he thought it was a positive step by the Hospital Authority, they heard what the medical staff said and answered positively.

Chairman Anderson asked for other comments. Commissioner Alston asked time frame for appointing a Committee to serve as liaison to the negotiating team. Chairman Anderson said he would name someone to serve within next couple of days.

Commissioner Beacham asked for clarification of makeup of negotiating team, it was said Commissioner would be a liaison but would actually be a full fledged member of negotiating team and also a liaison. Chairman Anderson asked if this was correct, he didn't understand it that way.

Mr. Brown explained the Commissioner would have notification of all meeting, attend and participate fully in all meetings, except voting and sending it up to the next Committee which in turn sends it to the Authority.

Chairman Anderson said the question Mr. Roach asked about amending the Agreement, it takes all three parties to amend the Agreement and, according to their Chairman, the Authority is not willing to amend it. Chairman Anderson said he had promised the Board not to ask them to vote on anything in a meeting of which they have no prior knowledge and he would keep this promise. He asked how they would like to handle this question.

Commissioner Lee commented he would hope the joint committee would continue to meet and he thought there was always the chance a sale would never take place.

Chairman Anderson said he wouldn't ask for any action, topic would be on agenda for the next meeting.

Chairman Anderson asked for other comments. Dr. Whitlock commented he didn't know what better committee to evaluate the possible sale of the hospital than committee established by the Commissioner, the three physicians and three Authority, plus the "Big Six" accounting firm who would the expert, nationwide, to tell that group the advantages and disadvantages of selling and what to get. He added it made logical sense to use this committee for this purpose.

Chairman Anderson asked for other comments. Upon motion by Commissioner Hodges, seconded by Commissioner Alston and carried, meeting was adjourned subject to call.


 ATTEST


 E. Raybon Anderson

July 19, 1994
Statesboro, Georgia

The Board met at 8:30 A.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and nine visitors. Commissioner Smith gave the invocation.

Minutes of the regular meeting on July 5, 1994 were reviewed. Commissioner Beacham pointed out a typographical error in ninth paragraph, "computer" should have been "compactor". Upon motion by Commissioner Simmons, second by Commissioner Alston and carried, minutes of regular meeting on July 5, 1994 was approved with typographical error noted and corrected.

Chairman Anderson presented the first item of old business, Hospital Authority appointment, and advised one term on the Authority was expiring. He said the Authority has asked three candidates be submitted for consideration to fill this position. He explained Mr. Arthur Howard was appointed about a year ago to fill an unexpired term and Mr. Howard has agreed for his name to be resubmitted for consideration, Mr. Paul Akins and Mr. Ed Wynn have also agree for their names to be submitted.

Upon motion by Commissioner Hodges, seconded by Commissioner Alston and carried, names of Mr. Arthur Howard, Mr. Paul Akins and Mr. Ed Wynn will be submitted to Hospital Authority for their consideration to fill expiring term.

Next item of old business was consider of request to modify Memo of Agreement between the Board of Commissioners, Hospital Authority and Medical Staff. Chairman Anderson said in the July 5th meeting the Board had a request from Mr. Hal Roach, Attorney for the medical staff, to modify the Memo of Agreement. He said this request was taken under advisement for consideration at this meeting. He asked for discussion.

Commissioner Beacham remarked he thought the committee appointed by the Hospital Authority Chairman had two open lines of communications to the ad hoc committee of 3 Authority members and three physicians with Commissioner Smith appointed as Board member and with Dr. Harrison appointed after committee was reconstituted. He said it was his understanding that selling, leasing or other options were not discussed or were not a part of the original Agreement. With these thoughts, it appeared to him to denied request to modify Agreement.

Commissioner Beacham offered a motion to denied request to modify Memo of Agreement between the Board of Commissioners, Hospital Authority and Medical Staff. Commissioner Alston seconded the motion and it carried.

Chairman Anderson recognized interim Tax Commissioner Jack Wynn. Mr. Wynn reported \$10,004,000 taxes were billed with \$2,900,000 collected from voluntary payments as of May 11th and since then another \$2,680,000 has been collected. He said another \$820,000 needs to collected to make \$3,500,000 which is approximately fifty percentage of taxes due after voluntary payments. He remarked he felt this would be collected. He asked Ms. Smith to give report on delinquent taxes.

Ms. Smith said last month she reported \$20,000 delinquent taxes were collected in June and collections were study with another \$10,000 collected since her last report. She advised about 2000 accounts were due a refund, about 200 accounts have been handled and some people are using the credit balance to offset amount owed on other accounts. She said anyone concerned with a refund could contact their office.

Commissioner Alston asked the percentage of taxes collected with advanced payments included. Mr. Wynn said about 60% taxes had been collected but this was changing daily.

Chairman Anderson thanked Mr. Wynn and Ms. Smith for their report. Chief Tax Assessor John Scott was recognized. Mr. Scott gave a report on mobile homes decals saying 3699 decals have been sold to date this year compared to approximately 2450 for all of last year. He remarked he was real please with progress, job was getting done with part-time person without disruption to his office or the Tax Commissioner's office.

Chairman Anderson thanked Mr. Scott for this report.

First item of new business was Resolution concerning airport. Chairman Anderson asked Mr. Wood to explain this Resolution. Mr. Wood said Robert Cheshire, Airport Manager, had presented this Resolution which is required by federal government in connection with grant awards at the airport. He explained the Resolution stated bids from disadvantaged business enterprises would be maximized for work at the airport.

Upon motion by Commissioner Hodges, seconded by Commissioner Beacham and carried, Resolution was adopted. See exhibit #1994-16.

Chairman Anderson asked Mr. Wood to presented the next item, bid results and recommendation for paving of compactor site. Mr. Wood commented that Bob Smith, Environmental Manager, handèdd this process and referenced a letter from Mr. Smith which gave details for the bidding, bids were: CLACO CONSTRUCTION CO. + \$16.35 square yard; David Coursey Construction - \$14.00 square yard; Ellis Wood Contracting - \$12.10 square yard.

Commissioner Smith offered a motion to accept bid from Ellis Wood Contracting, Inc. since it was the low bid and recommended by Mr. Smith. Commissioner Simmons seconded the motion and it carried.

for next item of business, Mr. Wood presented bid results and recommendation for purchase of three dump trucks. He referenced a statement signed by the Warden, Purchasing Agent, Chief Mechanic recommending purchase of three trucjs from Roberts Truck Center. Bids for all three units were: Roberts Truck Center - \$105,167; Joiner International - \$121,001.36; LJJ Truck Center - \$121,672.

Commissioner Hodges offered a motion to accept bid from Roberts Truck Center. Commissioner Beacham seconded the motion and it carried.

Chairman Anderson presented Public Health Fee Schedule and Environmental Health Service Fee Schedule adopted by Board of Health on May 27th. He said these fee schedules need to be adopted by Board of Commissioners.

Commissioner Smith questioned the surcharge for pet vaccination and shipment fee for animal head testing. He said there had never been a great problem with rabies in the county but there is certainly a chance of a potential problem. One of reason problem has been minimized is fact that people have brought in suspect animals and he is afraid if a person has to pay \$35 for shipment for testing, the number brought in and sent for testing will be greatly diminished. He commented fee was good in aspect of covering cost but it would be catastrophe if someone did not bring in a suspect animal and had a case of rabies caused by that.

Commissioner Alston asked if this fee schedule was consistent with fees charged in other areas. Chairman Anderson said he thought it was, this fee schedule was presented by district personnel.

Commissioner Smith asked if this cost of shipment had been paid by county up to this time. Chairman Anderson said yes, it was a part of the Health Department's budget and this is to offset that cost. He remarked this seemed to be the trend statewide, fees rather than taxes and these fees have not been change in several years.

After some discussion on shipment fee for testing of suspected rabied animals, Commissioner Alston asked if it was appropriate to adopt fee schedule with exception of \$35 shipment for animal head testing.

Chairman Anderson suggested postponing action until the next meeting and have someone from environmental services discuss these fees.

Upon motion by Commissioner Beacham, seconded by Commissioner Alston and carried, action on fee schedules was tabled.

Chairman Anderson recognized Ted Wynn, Public Safety Director, and asked him to update Board on new weather system. Mr. Wynn explained this system is computer based software system purchased with monies made available from state in the Civil Defense (EMA) fund. He said this a dial-up system via telephone modem and give a up to the minute satellite view of weather activity in any particular site selected. He continued he hoped this system, along with weather channel, would give more advanced warning of severe weather conditions. He said people are tending to look to E911 for up to minute information. He said cost to Civil Defense was only 99¢ per call. He commented they were just learning to use the system and he would be glad to show it to anyone interested in seeing it.

Chairman Anderson said he was glad the county had this system, he had an opportunity to see ~~the~~ it operate when severe weather was threatening last week and he was very impressed.

Chairman Anderson asked Mr. Akins for report on road paving. Mr. Akins said contractor was through basing Old River Road, Leefield Road was 75%-80% complete and Friendship Church Road, with two motorgrader, could be ready for a contract in week.

Commissioner Lee asked situation with stripping of Leefield Road. Mr. Akins said it was hoped that road could be widened this year. Commissioner Lee asked what was time table to widen the road. Mr. Akins said this depends on available funds and he try to get an answer to this question.

Chairman Anderson asked for other business or comments. Commissioner Beacham remarked he attended a meeting of the ACCG Economic Development and Transportation Policy Committee where means of funding through highway enhancement programs were presented. He said they used Bulloch County as an example on a couple of occasions for obtaining monies and loans for Wal-mart development and said this was good example of local government, state government and private enterprise working together.

Commissioner Hodges said he had asked County Engineer Kirk Tatum to research possibility of traffic signal at intersection of Highway 67 and Burkhalter Road (Joe Hodges Hill) which was turned down by Department of Transportation. He commented he had copy of information provided by Department of Transportation and improvements they think need to be done to minimize the number of accidents at that intersection. He reviewed recommendations from D.O.T. and said they h~~ave~~ said they will do most of this work. He asked this information be reviewed and given to Mr. Akins and Mr. Tatum to make these improvements.

Commissioner Alston advised Chairman of Recreation Board, Executive

Director had with him and Councilman John Newton and their report was received late yesterday. He said, in regards to Board appointments, Mr. Newton suggested waiting a while before presenting appointments to Commissioners and City Council. He added, hopefully, they will have recommendation for next meeting.

Mr. Franklin presented an Agreement between the Board of Commissioner and Bulloch County Development Authority regarding the compactor site on Cypress Lake Road. He explained the agreement addresses the issue of maintaining natural screening around the property and also addresses the issue of federal regulations connected with CRP Program. He said the Development Authority was prepared to execute deed for property to county today.

Commissioner Hodges offered a motion to approve Agreement with Development Authority. Commissioner Alston seconded the motion and it carried. See exhibit #1994-17.

Chairman Anderson asked for other business or comments. He advised an Executive Session was needed to discuss a legal matter.

Upon motion by Commissioner Simmons, seconded by Commissioner Alston and carried, meeting was moved into Executive Session to discuss a legal matter.

Regular meeting was reconvened. Chairman Anderson asked for further business or comments. Upon motion duly made, seconded and carried, meeting was adjourned subject to call.


E. Rayben Anderson


ATTEST

August 3, 1994
Statesboro, Georgia

The Board met at 6:00 P.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and thirteen visitors. Commissioner Alston gave the invocation.

Minutes of the regular meeting on July 19, 1994 and minutes of Executive Session on July 19, 1994 were reviewed. Upon motion by Commissioner Beacham, seconded by Commissioner Alston and carried, minutes of these two meetings were approved as distributed.

The first item of old business was Recreation Board appointments. Chairman Anderson commented these appointments have been discussed for some time, and appointment is needed for Mr. Eugene Natson who has resigned and an appointment is needed for Mr. Ronnie Pope who has asked to be replaced when his term expires.

Commissioner Alston brought Board up to date on appointments, explaining members of Recreation Board remain in a slot until they are reappointed, which causes some confusion. They have remained in a slot after the individual term has expired and have not been reappointed. He said he thought there were three slots which need to be considered, Mr. Natson's, Mr. Pope's and Ms. Claire Nessmith's. He added he was not clear on Recreation Board's wishes on the third slot. He said he had expressed a concern to Mr. Edwin Hill, Recreation

Board Chairman, to add another minority member to the Recreation Board, with nine members on the Board, he thought three should be minority members. He said he and Commissioner Simmons recommended Ms. Ardrena Jackson to fill slot on Recreation Board.

Commissioner Hodges commented the City Council, in its meeting on Tuesday, approved Alan Tyson to fill one of the slots and offered a motion to fill two slots with Commissioner Alston to discuss third slot with Councilman John Newton and make recommendation to Commissioners and City Council. Commissioner Beacham seconded the motion.

There was some discussion of slots to be filled and which slot City Council recommended Mr. Tyson fill. Mr. Wood advised City recommended Mr. Tyson fill slot "B" held by Mr. Natson. Commissioner Alston commented, with Commissioner Hodges' motion, Ms. Jackson would fill slot "G" held by Mr. Pope. Question was asked if these were four year terms. Commissioner Alston explained Mr. Tyson would serve with expiring term of June 30, 1995 and Ms. Jackson would serve with expiring term of June 30, 1997.

Motion was clarified, Alan Tyson will fill slot "B", formerly held by Mr. Natson, to expire June 30, 1995 and Ardrena Jackson will fill slot "G", formerly held by Mr. Pope, to expire on June 30, 1997. Motion to fill these appointments on Recreation Board was carried. Ms. Jackson's appointment will need confirmation by City Council.

Commissioner Alston will check on slot held by Ms. Claire Nessmith for action at next meeting.

Next item of old business was adoption of Public Health Fee Schedule and Environmental Health Service Fee Schedule. Chairman Anderson said these schedules were presented at the last meeting and there was some questions. He said specific fees for discussion were fee to ship head of suspected rabied animals and food service inspection fee. He explained he had discussed food service inspection fee with Mr. Bray and Mr. Sweat and explained in the past a one time fee of \$25 was charged for food service permit no matter how long business remained in operation. He said the Health Department officials were now recommending a \$50 per annum fee with permit renewed once a year. He introduced Mr. Leonard Sweat with Regional Health Office.

Mr. Sweat gave a history of fees saying current fees were approved in 1986, but did not cover all services. He remarked other parts of state have been charging for these services for five or six years. He presented a graft showing fees collected by Bulloch County Health Department since 1990 and they estimated this year \$197,000 would be collected from fees, this \$197,000 will offset tax dollars which is reason for imposing charge for all services. He said they have no problem with any fees which Commissioners want removed, but services for fees reduced or removed will come from tax dollars. He explained these fees were medium based on other average across the state. He asked for questions concerning any fees.

Commissioner Smith said he had a question on fee for rabies, how much would this fee deter shipment of suspected rabied animals when there is a \$35 charge. He said he was afraid someone would be bitten or have contact with a suspected rabied animal and it will not be testing causing a real catastrophe.

Mr. Sweat said there are about 40 cases per year in Bulloch County with about 30 shipped, about \$1,000, and they have no problem if Commissioners want to strike this fee.

Commissioner Lee asked for explanation of plan review in Food Service

Program. Mr. Sweat explained this is a one time review of architect plans.

Commissioner Alston gave a scenario of someone bitten by a suspected rabied animal who did not have funds to ship head for testing. Mr. Sweat responded no one would be refused because of inability to pay.

Commissioner Lee asked if the annual inspection fee for food service was going from \$35 to \$50. Chairman Anderson commented it was going from a \$25 one time fee to \$50 annual inspection fee. He remarked he thought the annual inspection was good, it gives Health Department officials the opportunity to let establishments know they will have an annual inspection.

Commissioner Smith offered a motion to approve Fee Schedule with exception of \$35 charge for shipment of animal heads for testing, it is to be dropped. Commissioner Beacham seconded the motion.

In discussion Chairman Anderson said he had some concern when he learned how many of these animals were picked up from side of road and brought in to be shipped for testing and commented there should be something done to curtail these cases.

Commissioner Smith amended his motion to approve Fee Schedules with \$35 charge for shipment of animal heads to be waived in cases of human contact or exposure. Commissioner Beacham seconded the amended motion and it carried.

Commissioner Lee said he still had some question about food service program fee, as it is now a restaurant has annual inspection.

Mr. Sweat explained that restaurants are normally inspected twice a year, when restaurant is opened there is a \$25 one time charge but it's inspected a minimal of two times per year at no charge. He added they were proposing \$50 per year to cover these two inspection per year.

Commissioner Simmons offered a motion to accept \$50 per annum for food service inspection fee. Commissioner Beacham seconded the motion. In discussion Commissioner Lee said, even though this fee is supposedly to reduce taxes, amount of money will be minimal and he felt this was another burden on the small business people and he would like to see it struck. Chairman Anderson said there had been some discussion of going from zero to fifty all at once.

Vote on motion to accept \$50 per annum fee for food service inspection fee ended in a tie with Commissioner Smith, Commissioner Beacham and Commissioner Simmons voting in favor of motion, Commissioner Hodges, Commissioner Lee and Commissioner Alston voting in opposition of motion. Exercising his power to vote in case of a tie, Chairman Anderson voted against the motion saying he thought fee was too much increase at one time. Motion was defeated.

Commissioner Hodges offered a motion to set annual food service inspection at \$25. Commissioner Alston seconded the motion and it unanimously carried.

Commissioner Hodges offered a motion to approve Public Health Fee Schedule and Environmental Health Service Fee Schedule as presented with exception that food service annual fee will be \$25 instead of \$50 and shipment fee for animal head testing will be waived in cases of human contact or exposure. Commissioner Smith seconded the motion and it carried. See exhibit #1994-18

Chairman Anderson said the Road Paving Priority List was not on the agenda but it was distributed on July 5th for Board's review. He added he wasn't pushing but it did need some action soon.

Commissioner Hodges offered a motion to approve Road Paving Priority List as distributed. Commissioner Smith seconded the motion. In discussion Chairman Anderson said this list was compiled in a meeting where he, Warden

Akins, Mr. Tatum and Mr. Wood took all the petitions and other road paving needs and put them in order. Mr. Wood made the comment that this list was just a guide. Motion to approve Road Paving Priority List carried.

After asking for other old business, Chairman Anderson announced first item of new business was road closing request for county road #268. Before recognizing person requesting road to be closed, Chairman Anderson presented a petition signed by twenty-eight people who oppose the road closing. He explained this road was south of Nevils, off Nevil/Groveland Road. He recognized Ms. Sally Scahill who presented request to close the road.

Ms. Scahill presented sketch of road and said she owned property on both sides of dirt road. She said the problem was deer hunters, with as many as ten trucks lined up on this short road during deer hunting season and explained her house is in a triangle, 300 feet from one road and 300 feet from the other road which form the triangle. She said they hunt in front of her house and they hunt on the side of her house and remarked she was afraid to come out of her house during deer season for fear of being shot. She added beer cans and trash was strung up and down the road.

Chairman Anderson said he had explained to Ms. Scahill the only reason a road could be closed was if it no longer served the public.

Commissioner Lee asked if hunters had land leased, do they have permission to hunt. Ms. Scahill replied no, her brother had posted "No Trespassing" and "Posted" signs with no success. She said last fall she had asked them to please not hunt on this section of road but they acted as she didn't even live there. She commented she was requesting road be closed, she didn't want to prosecute her neighbors.

Commissioner Smith asked how long was the road. He was told it was about a quarter of mile.

Commissioner Lee said he certainly sympathized with Ms. Scahill but he wasn't sure closing the road would keep hunters out. He asked if she had contacted the Sheriff's Department.

Ms. Scahill said she had talked with Game Warden who said if road wasn't closed, she would have pursue legal action and prosecute. She stated if road wasn't closed, she would put up "Posted" signs and prosecute people because she didn't want them shooting around her house.

Commissioner Hodges commented since Mr. Billy Lanie, owned property on the road, not much, but he did sign the petition not to close the road, before taking any action he would like for both parties to appear and present their views.

Commissioner Beacham said he was interested in knowing interest of all the people who signed petition to keep road open, were they deer hunters, adjacent property owners, or what.

Commissioner Hodges offered a motion to table action on request to close county road #268 until both parties present their views. Commissioner Lee seconded the motion and it carried.

Next item for discussion was Timber Harvesting Ordinance. Mr. Wood explained this Ordinance was not included in meeting package, an Ordinance was constructed and distributed for Commissioners' consideration. He said, basically, this was a reporting requirement.

Commissioner Smith asked if it would be possible to have tax assessed at time any payment is made for timber harvest, like a sales tax, made at time of transaction. He said many times there is a timber lease where timber is leased

for a period of years with a up front payment, payment at commencement of harvest and when harvest is completed or maybe a lump sum payment up front. He commented many times the timber harvester has no connection between the person who owns the timber or the person who is buying the timber other than performing a service for which he is paid.

Tax Assessor John Scott said the purpose of the Ordinance is two fold, to know when harvesting begins, who is doing harvesting and who is responsible for taxes. He continued timber harvester was not being asked to get involved in reporting of volumes being harvested. When timber is sold on a lump sum type sale, law requires taxes paid up front but when sold by cord or ton, law requires a quarterly report be filed on volume sold and taxes are billed based on this report. He remarked the Ordinance requires no fee for permit but there is a fine if permit is not obtained, all the Ordinance is doing is allowing his office to know where timber is being harvested.

Mr. Wood remarked this Ordinance was patterned after sample Ordinance suggested by ACCG and state Tax Assessors organization. Mr. Scott added this Ordinance was in place in several counties.

Upon motion by Commissioner Beacham, seconded by Commissioner Smith and carried, Timber Harvesting Ordinance was adopted. See exhibit #1994-19.

Chairman Anderson recognized Mr. Milan Degyanksy, Chairman of Solid Waste Advisory Committee. Mr. Degyanksy referenced quarterly report presented to Board last month and said this report contained two recommendations (1) institution of an in-house recycling program at all offices funded by the county, institution of purchasing policy that 25% of paper used must be recycled paper, (2) Commissioners made public statements about projected increase in tippage fees so public won't be caught unaware when increase is enacted. He said in their meeting in June and July they had discussed possible county participation in "cleanup" day on October 8th. He continued they were compiling information so Bob Smith would be able to present some firm data on this project. He explained a hazardous waste processing collector from Charlotte, NC has a program that they do in conjunction with community cleanup days, they advertise, man, and help with collection of any household hazardous waste material. He continued the ways the hazardous waste laws are written, if a certain number of pounds or tons per month, per year are not collected, there is no requirement for it to be isolated for disposal. He said they thought this might be a program to make people a little more aware of what they are discarding and where it is going. He said if county and city wanted to have this program, the company has a minimal fee of \$3000-\$4000 for cost incurred to come, in addition they charge on a poundage basis for amount of waste collected. They take possession of hazardous waste, become responsible for handling and storing for the waste. He said they will be giving Mr. Smith more formal projection of cost based on county's size and population. He concluded that, hopefully, by the next meeting they would have a more firm proposal for this project.

Commissioner Alston asked was it inconceivable to have a cleanup day, ask everyone to bring their hazardous household waste, store in central location and if get two or six gallons of hazardous material, dispose of this or, with that type of advertisement, might get 350 or 400 gallons, then call this company to deal with the hazardous waste. He said he would hate to see the county spend \$3000-\$4000 to dispose of two gallons hazardous waste.

Mr. Degyansky said their experience has been that from one-half percent to

three percent of population will participate. He added the problem is, if the county collects the hazardous waste, it assumes the liability for it and if have over a set amount, it has to have special handling and permits, etc.

Chairman Anderson asked Mr. Wood if he would like to respond to Mr. Degyansky's remarks. Mr. Wood said, with respect to in-house recycling, in those office which fall directly under Commissioners' authority, in-house recycling is already in place. He said he would be glad, at Board's direction, to write a letter to all Constitutional Officers encouraging them to effect the same program.

Commissioner Lee asked if school system was participating in in-house recycling. Mr. Degyansky said he didn't know.

Mr. Wood commented, on the point about the public statements and tippage fee increases, the city serves as operational agency for the landfill and as a consequent the media is frequently, generally more directive to the city for landfill/solid waste management related questions. He said he thought Mr. Smith served as an able spokesman for the county and the newspaper has devoted a good bit of coverage to the general issue. He said he thought the Commissioners were ready to effect an increase in the tippage fee but had been professionally deferring to the City to serve as a lead agency. He stated the county's increased tippage was already budgeted in the current budget, the city effected theirs through increased monthly residential billing. He said the Commissioners had met with the City and heard information on transfer stations and similar things to be identified. Mr. Wood said Mr. Smith had discussed the one time program for collection of hazardous household waste with him and his reaction was similar to Commissioner Alston's, it was pretty big roll of the dice for the county financially. He had suggested to Mr. Smith that they identify a closer cost factor, he didn't know how this could be done, but he didn't feel comfortable in recommending incurring this kind of cost with that much of a unknown.

Chairman Anderson commented there was no participation in last year's agriculture pesticide collection program. He said he shared Commissioner Alston's thoughts, last year someone spend a lot of money to bring equipment in and it wasn't used, agricultural community didn't respond. He said could have a survey, if citizens would respond, it would be great, it's a good suggestion, but how do you get people to respond.

Mr. Degyansky said this was to alert the Commissioners to this program and additional information is being obtained to present a firmer proposal. He repeated the need for Commissioners to get the point across that solid waste is going to cost big bucks. He said it was in the budget but the average citizen don't know anything about the cost for solid waste and don't have any idea of what it's individual cost is. He remarked it was suggested in a recent meeting he attended to individually bill property owners or residents in some fashion for solid waste cost.

Mr. Wood said during the budget approval process a newspaper article noted that approximately one half of total budget increase was for solid waste management.

There was some discussion how to bill citizens in the county for solid waste cost. Mr. Wood said one idea would be to put a notice on bottom of tax notices giving some breakdown of solid waste cost. Mr. Scott remarked that some counties have taken solid waste line item out of the budget and fund it through a one time fee per household on the tax bill. He said this hasn't

been received very well but he would be glad to spend some time obtaining information on how other counties have handled this. Commissioners said they would like to see this information.

Commissioner Beacham commented the sense of urgency is not here and it's the Commissioners' job to get it here, Mr. Smith should begin an advertising program for the cleanup day on October 8th, some method to relay the sense of urgency.

Mr. Wood commented that Mr. Smith had already started newspaper ad campaign and if he understood Mr. Degyansky, he was inviting the Commissioners to be more vocal.

Mr. Degyansky said these were some of the points the committee wanted emphasized and thanked the Board for their attention.

Commissioners thanked Mr. Degyansky for the work the Solid Waste Advisory Committee was doing.

Chairman Anderson recognized Mr. Donnie Simmons. Mr. Simmons presented a handout of reports from inmates of unequal treatment between black and white inmates at Bulloch County Correctional Institute. Some of these were more hard labor given to black inmates, black inmates being harassed by a peculiar officer, visitors of black inmates mistreated by a peculiar officer, racial slurs and comments, inmates calling officers "Boss", no ventilation in visitation room, inadequate meals, no education or vocational training for inmates.

Chairman Anderson remarked since this Administration took office every complaint registered with Commissioners' Office from this department or any other department has been investigated. He continued the Correctional Institute is regulated mainly by State Government, *EPA*.

He promised every paragraph of this grievance letter would be studied and investigated by the County Manager's Office and the Warden. He commented the Commissioners ate the same meal served to inmates about twice a month, it's not the best in the world, but Board eats it during meetings, trying to hold tax dollars down.

Commissioner Alston said he agreed and supports investigating these concerns but he would like to address some points. He said there was ventilation in the visitation area, he was on the Board when the building was renovated and there is no air conditioning in that area but there is ventilation. Another point was education program, when he was first on the Board he would go to the C.C.I. early in the mornings to begin a "GED" program but he soon found out there were not enough inmates interested in the "GED" program to warrant it continuing. A previous Administration authorized funds for math and English instructors, a television was purchased for the "GED" program but there wasn't enough participation and the program folded. He said he didn't think this was because individuals didn't want to participate but because inmates are transferred in and out so fast. He added, as Chairman Anderson said, frequently during the budget workshops and other meeting the Board have meals provided by the C.C.I.

Chairman Anderson again promised policy would be followed, everyone will be treated fairly and every item will be investigated.

Chairman Anderson asked for other business or comments. Mr. Wayne Franklin commented he attended a meeting last night in which the Evans County Commissioners agreed to repair the remainder of Settlement Road, county road #193, but they desire Bulloch County share the cost.

Mr. Wood referred to a memo from the County Engineer and Warden where they have evaluated a couple of problems, cost to reconstruct this road and concern that roadbed as now exist is not the original roadbed with reservations of whose property the road is on.

Mr. Franklin said Barbara McKay, attorney for Evans County, did advised him that this item was on their meeting agenda and it was her concern that there is a demand by some of the public that the road remains open. He said he has not heard from her since the meeting.

Chairman Anderson said cost to Bulloch County would be more because larger part of road to be repaired is in Bulloch County and if repaired, this road will require constant maintenance.

Commissioner Lee said he would like some understanding of Evans County's percentage of participation in shared maintenance of road before any action is taken.

Chairman Anderson said information provided by Mr. Franklin was accepted and official documentation will be obtained for action at a future meeting.

Chairman Anderson asked for other business or comments. Commissioner Lee said there some discussion in previous meeting of stripping of Leefield Road and, according to information he had obtained, stripping of centerline would cost \$2500 to \$3000. He remarked even if road is widened at some point in time, with no more expense than this and liability involved, he would like for bids to be obtained to see what it would cost to have this road stripped.

Commissioner Lee offered to put stripping of Leefield Road out for bid. Commissioner Smith seconded the motion and it carried.

Chairman Anderson said, hopefully, it would be approved for widening next year and suggested when obtaining bids Mr. Wood get unofficial commitment from D.O.T. for widening. He added with this information Board could make a good decision.

Commissioner Alston said last year there had been some discussion of need for ice machine with Sheriff Akins but in recent discussion Sheriff Akins is looking at other options for cooler and a ice machine. He advised he asked Tom Palfy at Georgia Southern for assistance in selecting appropriate ice machine and he presented an interesting concept that Georgia Southern has capability of providing ice for 14,000 students but during month of August and after school is closed that machine is idle, they could provide ice which could be stored in a cooler and eliminate need for ice machine. He had told Sheriff Akins they will meet to see what proposal can be reached.

Chairman Anderson said an Executive Session was needed to discuss land disposition. Upon motion by Commissioner Simmons, seconded by Commissioner Alston and carried, regular meeting was moved into Executive Session.

Regular session was reconvened. Chairman Anderson asked for other business or comments. Commissioner Lee said Mr. Franklin felt he should look at the Timber Harvesting Ordinance and possibly make some minor changes.

Mr. Franklin said he was afraid some of the language was a little vague and enforcement provision conflicted a little with county's general enforcement. He added there was no problem with substance of Ordinance, no substantial change was needed.

Motion to adopt Timber Ordinance will stand as carried. Mr. Franklin will made necessary changes to Ordinance for Chairman Anderson's signature.

Motion carried by Commissioners Lee and

Upon motion by Commissioner Smith, seconded by Commissioner Lee and carried, meeting was adjourned subject to call.

Evelyn H. Wilson
ATTEST

E. Raybon Anderson
E. Raybon Anderson

August 12, 1994
Statesboro, Georgia

The Board met at 7:00 A.M. at Bunny's Restaurant for a special called meeting. Chairman Anderson, Commissioner Alston, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith were present. Commissioner Simmons was absent. Also present were Peggy Chapman, Bulloch County Development Authority Director, Kenny Stone, Bulloch County Development Authority Chairman, Billy Hickman, CPA, Jimmy Franklin and Steve Rushing, county attorneys, Scott Wood, County Manager and Evelyn Wilson, County Clerk.

Chairman Anderson called the meeting to order and stated discussion of real estate was purpose of this called meeting, possible sale of property and possible purchase of property. He asked for motion to go into Executive Session for this purpose.

Upon motion by Commissioner Beacham, seconded by Commissioner Lee and carried, meeting was moved into Executive Session for discussion of real estate matters.

Regular meeting was reconvened. Chairman Anderson asked for other business or comments. Upon motion duly made, seconded and carried the meeting was adjourned subject to call.

Evelyn H. Wilson
ATTEST

E. Raybon Anderson
E. Raybon Anderson

August 16, 1994
Statesboro, Georgia

The Board met at 8:30 A.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and seven visitors. Commissioner Simmons gave the invocation.

Minutes of regular meeting on August 3, 1994 and minutes of Executive Session on August 3, 1994 were reviewed. Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, minutes were approved as distributed.

Commissioner Alston referenced Recreation Board appointments and said he had been in contact with Mr. Edwin Hill and they weren't ready to make recommendation for appointment for third seat on Recreation Board.

Chairman Anderson called on interim Tax Commissioner Jack Wynn to give delinquent tax report. Mr. Wynn recapped 1993 tax collections and gave total collections of \$8,665,000 through August 15th. He commented these figures weren't strictly for 1993 taxes, reflect 1993 ad valorem taxes as well as other

collections deposited in bank account. He said he would estimate there were about \$1,500,000 to \$1,600,000 outstanding 1993 ad valorem taxes. He asked Ms. Smith to give report on delinquent taxes for 1992 and prior years.

Ms. Smith reported that collections on delinquencies were continuing and amount outstanding for 1992 and prior years was now \$889,324.

Mr. John Scott, Chief Tax Appraiser, gave an update on collection from mobile home decals this year compared to collections for last year. Entire collections for last year, 1993, were \$115,000 compared to \$142,000 collected through last Friday, \$27,000 ahead at this time of year. He commented this effort is really paying off now with a lot of activity and with enforcement officer involved this activity should increase.

Chairman Anderson thanked Mr. Wynn, Ms. Smith and Mr. Scott for their reports and work in tax collection.

Chairman Anderson recognized Ms. Virginia Anne Franklin of Visitors and Convention Bureau. Ms. Franklin recapped activities of the Bureau and said, thanks in part to local representatives, the Bureau was declared a Georgia State local welcome center and was receiving state funds for the first time. She displayed brochures and publications provided by the Bureau marketing Statesboro and Bulloch County. She reviewed projects for National ASA Softball Championship at Mill Creek Park during Labor Day weekend and events for Christmas season. She also gave impact these projects and events would have on local economy. Ms. Franklin thanked Board for allowing her to present information on the Bureau activities and asked for questions or comments.

Commissioners thanked Ms. Franklin for her presentation and for the good job the Bureau was doing to promote Statesboro and Bulloch County.

Chairman Anderson announced that Mr. Wood had an introduction to make. Mr. Wood introduced Mr. Ken Jones who joined the staff on Monday as Staff Attorney. He gave Mr. Jones's background and credentials and said he knew everyone was looking forward to working with Mr. Jones.

Chairman Anderson welcomed Mr. Jones to the staff and said Commissioners were ready to offer any assistance needed.

First item of old business was request to close county road #268. Chairman Anderson said Ms. Sally Schall and Mr. J.E. Denmark, representatives of parties with interest in this issue, were present. He said Board heard from Ms. Scahill at the last meeting and ask Mr. Denmark to present the other side of this issue.

Mr. Denmark said he was present to represent his nephew, Billy Lanier, who owns property on the road but couldn't be present today due to work schedule. He commented he just couldn't understand closing the road, it had been there 100+ years, he didn't see anything to be accomplished by closing the road.

Chairman Anderson said he did have a telephone conversation with Mr. Lanier who explained he would not be able to be present today. He asked if anyone had any questions for Mr. Scahill or Mr. Denmark.

Commissioner Lee asked if Mr. Lanier lived on the road. Mr. Denmark replied no-one lived on the road.

Chairman Anderson asked Ms. Scahill if she had anything to add. Ms. Scahill said since she submitted the letter in June there had been some changes made in road signs and road grading. She commented one road had signs with two different names. She said she made request to close road for her safety.

Chairman Anderson asked Mr. Ted Wynn if he knew why road had one name at one end of road and another name at the other end of road. Mr. Wynn said he didn't know would look into this and get an answer.

Commissioner Beacham said main concern was not the traffic but problems with

hunters, more a hunting and parking problem. Mr. Scahill said that was correct.

Commissioner Hodges asked if hunting season was the only time during the year when there was a problem. Mr. Scahill said yes.

Commissioner Hodges suggested the road remain open and ask the Game Warden and Sheriff to patrol during hunting season.

Request to close county road #268 was denied.

Commissioner Lee said he certainly sympathized with Ms. Scahill but if Board closed every road where similar complaint was received, it would have close half of county roads. Commissioner Smith said he didn't think this was a unique problem and it probably would be good to bring this to the attention of the Sheriff and DNR.

Mr. Wood will draft a letter to Sheriff Akins with copy to DNR.

Chairman Anderson asked Mr. Wood to respond to BCCI investigation. Mr. Wood presented a written report for Commissioners's review.

Chairman Anderson said Commissioners would be given time to review this report and if desire, it can be put on agenda for discussion at future meeting.

Chairman Anderson asked Mr. Franklin to address next item of old business, Timber Ordinance.

Mr. Franklin said this was a re-draft of proposed Timber Ordinance adopted in the last meeting. He remarked this version included some additional definitions but there was no change in substance of the Ordinance.

Upon motion by Commissioner Hodges, seconded by Commissioner Beacham and carried, revised Timber Harvesting Ordinance was adopted. See exhibit #1994-19.

There was some discussion of notifying timber harvesters of this Ordinance. Chairman Anderson commented timber buyers could probably provide names and addresses for a lot of these harvesters.

Chairman Anderson asked for other old business. Mr. Wood advised the Zoning document had been presented to attorney in Atlanta yesterday and asked Ms. Hill when it was expected to be returned. Ms. Hill said, if everything goes as planned and there aren't any major revisions, hope to have public hearings the first or second week on September.

The first item of new business was Veteran Memorial Parkway from Highway 80 west to Highway 301 north. Chairman Anderson said this was portion of perimeter referred to as the "upper loop" which is not even in the perimeter plan. He added he was assured approximately a year ago that this section would be put in the plan but it has been discovered that it is not now in the plan. He said Commissioner Beacham suggested taking official Board action today to get this section of the perimeter in the long range plan.

Commissioner Beacham offered a motion to send a letter to Department of Transportation requesting this section of perimeter road be placed on their work plan to proceed with engineering for completion. Commissioner Alston seconded the motion. In discussion Commissioner Smith said this has been delayed a year for lack of action by a D.O.T. employee and asked if it would be possible to ask them to backdate this on Bulloch County's schedule, would this be advantageous to get it moved up at a faster rate. Mr. Wood remarked the D.O.T. Commissioner would be in town next week and it can be mentioned. Motion to send letter to Department of Transportation to have remainder of perimeter road placed on long range plan carried.

Next item for discussion was land acquisition. Chairman Anderson said this was approximately 11.1 acres of land owned by Mr. J.M. Aycock adjoining property owned by the county on Denmark/Brooklet Road. He remarked this property would

provide county with additional bar pit material for future use. He advised there have been ongoing negotiations with Mr. Aycock who has now said he will sell the property for the tax appraised price (\$1389 an acre).

Commissioner Beacham offered a motion to purchase this property. Commissioner Hodges seconded the motion. In discussion Chairman Anderson said Warden Akins and the County Engineer agree there is a need for the property for bar bit material. Motion to purchase 11.1 acres from Mr. J.M. Aycock for tax appraised price carried.

Chairman Anderson presented a proposal from Sheppard Lumber Company for improvements of road through the saw mill. He said this was a road which received many complaints and it is a dangerous stretch of road. He advised attempts have made made for some time to have a situation where county and Mr. Sheppard can work together to improve the road. He reviewed Mr. Sheppard's offer to pave approximately 1100 feet of the road provided the county will base the road. He remarked using this method to improve the road will be less costly for the county than having D.O.T. involved. He referenced recommendations from Engineering and Road Department.

Commissioner Beacham offered a motion to accept Mr. Sheppard's offer since road would be pave at cost savings for county. Commissioner Simmons seconded the motion. In discussion Commissioner Smith said with the conveyor across this road there is a lot of cross road traffic and asked if this improvement would increase traffic on the road and cause a greater hazard. Chairman Anderson referenced drawing which showed request for 4-way stop signs and Mr. Tatum has been asked to submit this to Ted Wynn, Public Safety Director, for his review and recommendation. Warden Akins advised, if this plan if completed, there will be only three crossings on this road where there are now random crossings and the three crossings will be marked with 4-way stop signs with remainder fenced. Motion to accept Mr. Sheppard's offer carried. Mr. Wynn's public safety review and recommendation will be presented at the next meeting.

Chairman Anderson asked for other business. Mr. Wood referenced question by Commissioner Lee at the last meeting concerning widen and resurfacing of Leefield/Stilson Road. Mr. Tatum remarked widening was not included in LARP projects. Mr. Wood said Commissioner Lee was asking about re-stripping but question was when the road was scheduled for widening and resurfacing. Mr. Akins said widening wasn't included in LARP, it would have to be done on county contract. Chairman Anderson said LARP was the question, didn't want to re-strip the road this hear and resurface it next year.

Mr. Wood advised he and Warden Akins planned to attend a meeting next week of a number of counties with correctional institutions to form a joint lobbying effort for an increase in daily reimbursement from state to counties for housing inmates.

Chairman Anderson asked for update on Settlement Road, county road #193. Mr. Tatum advised the Evans County Commissioners had voted in their August 2nd meeting to keep the road open and he planned to meet with Evans County officials to discuss maintenance schedule and cost sharing to rehabilitate the road.

There was some discussion of location where road adjoined Kennedy Bridge Road. Mr. Wayne Franklin remarked this property owner lived in another county and he did not know how cooperative he would be in reopening road.

Chairman Anderson asked Mr. Tatum to identify this property owner because this is a question which has to be answered before the Board can take any action.

Chairman Anderson asked for other business or comments. Mr. Franklin advised there was one item of litigation to discuss.

Upon motion by Commissioner Hodges, seconded by Commissioner Smith and carried, meeting was moved into Executive Session to discussed litigation matter.

Regular meeting was reconvened. Chairman Anderson asked for other business or comments. Upon motion duly made, seconded and carried, meeting was adjourned subject to call.

Ernie H. Wilson
ATTES

E. Raybon Anderson
E. Raybon Anderson

September 6, 1994
Statesboro, Georgia

The Board met at 6:00 P.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and fifteen visitors. Commissioner Beacham gave the invocation.

Minutes of called meeting on August 12, 1994, minutes of Executive Session on August 12, 1994, minutes of regular meeting on August 16, 1994 and minutes of Executive Session on August 16, 1994 were reviewed. Upon motion by Commissioner Hodges, seconded by Commissioner Alston and carried, minutes of these four meetings were approved as distributed.

Chairman Anderson asked Commissioner Smith to address the first item of old business, report from Courthouse Feasibility Committee. Commissioner Smith remarked this Committee was formed some time ago to work on plans for a new Courthouse and a Courthouse Planning Committee was appointed to assist architects in their needs analysis and space needs for now and in the future. He asked Ms. Becky Livingston who chaired this Committee to present their report.

Ms. Livingston thanked Commissioners for allowing her, along with architects, an opportunity to present their findings. She named members of Space Needs Analysis Committee and gave outline of goals set by the Committee. She said recommendations of the committee and architects are result of efforts by those two groups. Proposed Space Allocations Package was distributed and Ms. Livingston remarked these recommendations were not a "want" list but a "needs" list. She stated the Committee took a hard look at space, recognizing there wasn't a unlimited budget, and the result is what they honestly think is a "needs" list. She said recommendations allowed for future needs such as; court administrator, three Superior Court Judges, full time State Court Judge and Solicitor. She referenced multi-purpose rooms and jury assembly/public hearing room in the recommendations and said such rooms were efforts to get maximum use of the facility. She said the Committee had a very good working relationship with the architects, they have been most cooperative. She said the recommendations have the support of officers of respective offices in the courthouse. Ms. Livingston again give her appreciation of Commissioners' consideration and said Mr. Eckles would give more specifics.

Mr. Eckles commented these recommendations were evidence of the dedication and cooperation they received from the Needs Analysis Committee. He gave background of investigations and interviews for recommendations presented and said this presentation was an outline of facility needs as endorsed by Ms. Livingston and her committee. He continued they were looking at stages of

approval, at this point they weren't asking for blanket approval of anything but authorization to proceed to the next step which is preliminary design. He stated preliminary design would be developed much as recommendations were, with input from user agencies and Ms. Livingston's committee. He said their request was authorization to proceed with next step which is preliminary design based on square footage in recommendations.

Commissioner Smith offered a motion to authorize architects to proceed with preliminary design stage. Commissioner Beacham seconded the motion. In discussion Commissioner Beacham questioned proposed floor space in the existing courthouse and new annex. Mr. Eckles explained this plan utilized existing floor space in the courthouse, there would be no additions to the courthouse and explained net usable space in new annex. Commissioner Alston asked if there was any figures on cost. Mr. Eckles said he couldn't answer that question, preliminary design will give preliminary cost. Commissioner Alston asked if preliminary design has to be revised several time, will this increase architect cost. Mr. Eckles replied no, it would not. Motion to authorize architects to proceed with preliminary design carried.

Chairman Anderson recognized Mr. Ricky Nessmith to present Zoning Ordinance schedule. Mr. Nessmith said this has been a long process and the Committee found it to be a lot more detailed than anticipated with a lot of information to be found and understood. He advised draft has been reviewed by attorney in Atlanta and returned with notations and suggested changes which the staff is in the processing of completing. He said a decision is needed from Commissioners for setting a date for one of two things, (1) another public review or (2) a formal public hearing after which Ordinance would be formally adopted.

Commissioner Hodges asked time frame if Commissioners decide to have another public review. Mr. Nessmith said, giving time for advertising in local media, this probably could be done by end of next week. Commissioner Beacham said this would be similar to public review already held which is not a requirement of the law. Mr. Nessmith said that was correct.

Commissioner Beacham said, personally, he thought a super job has been done to get information to the public and it's time to go forwarded with legal process. Commissioner Simmons agreed.

Commissioner Lee asked if vote can be called at Public Hearing to adopt the Ordinance. Mr. Nessmith commented Committee would make recommendation to Commissioners at the Public Hearing and allow public comment and Ordinance would probably be formally adopted at another meeting.

Mr. Wood suggested revised draft with latest revision highlighted be distributed to Board as soon as possible.

Commissioner Beacham offered a motion to proceed with legal process to place legal advertising for Public Hearing in newspaper when maps are complete, around September 16th. Commissioner Simmons seconded the motion. There was some discussion on meeting dates. Motion to proceed with legal process to advertising Public Hearing date for Zoning Ordinance was carried with Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges and Commissioner voting in favor of motion. Commissioner Lee voted to oppose motion.

Chairman Anderson presented joint agreement between Bulloch County, City of Statesboro and Bulloch County Development Authority on phase I of Gateway Park.

Commissioner Hodges offered a motion to approve joint agreement between Bulloch County, City of Statesboro and Bulloch County Development Authority for

phase I of Gateway Park. Commissioner Smith seconded the motion. Commissioner Lee asked Mr. Franklin if the agreement was in order. Mr. Franklin said yes, his firm had prepared the agreement. There was some discussion of financial statements and Commissioner Hodges said he would like to have monthly copy of financial statement. Motion to approve joint agreement between Bulloch County, City of Statesboro and Bulloch County Development Authority carried. See exhibit #1994-20.

Next item for discussion was county road #193, Settlement Road. Mr. Wood referenced memo from Kirk Tatum, County Engineer, outlining items to be agreed upon by Evans County. He said in telephone conversation with Mr. Tom Painter, Evans County Administrator, Mr. Painter had expressed verbally, hopefully, Evans County Commissioners will agree with items as outlined. Mr. Wood said basic agreement was for Bulloch County and Evans County to jointly and equally participate in cost to rebuild the road and each county to then maintain one half of the road with a midpoint to be determined. He advised the Evans County Commissioner were also meeting tonight.

Commissioner Smith offered a motion to share expenses, as set forth in County Engineer's memorandum, to upgrade and maintain county road #193 on fifty-fifty basis with Evans County provided Evans County Commissioners agree to the same. Commissioner Alston seconded the motion and it carried.

Next item for discussion was Cleary Road, county road #355, at Sheppard Lumberyard. Chairman Anderson presented an proposed agreement between Bulloch County and Sheppard Lumber Company and requested authorization to execute agreement if it was accepted by Mr. Sheppard.

Commissioner Hodges offered a motion to approve agreement between Bulloch County and Sheppard Lumber Company. Commissioner Beacham seconded the motion and it carried. See exhibit #1994-21.

Chairman Anderson asked for update on road projects. Mr. Akins gave current status of preparation for paving of Old River Road, Nessmith Road, Black Creek Church Road and Friendship Church Road.

Commissioner Hodges asked if price was obtained to restripe Leefield/Stilson Road. Chairman Anderson said he wanted to see time frame for road to be resurfaced before spend money to have it restriped. Mr. Wood said Mr. Driggers with D.O.T. was to check to determine if this road meets criteria for widening and resurfacing. Mr. Akins commented he thought the only way to widening and resurface this road is with a county contract, not going to get it in LARP program because there are road in worse shape which will be in LARP before this one. Commissioner Hodges suggested, if this was the case, go ahead and restripe the road. Mr. Akins asked if couple more roads could be added, about 30 miles total.

Commissioner Hodges made a motion to approve restripping 25 to 30 miles of roads. Commissioner Beacham seconded the motion and it carried. Mr. Akins will prepare list of roads to be restriped for approval.

Mr. Akins give report on roads being resurfaced under this year's LARP program.

Chairman Anderson asked for other old business.

The first item of new business was discussion of a Rabies Ordinance. Chairman Anderson recognized Mr. Glynn Bray of the Bulloch County Health Department. Mr. Bray presented a copy of state law adopted about 30 years ago which said every county in state of Georgia would have in effect a Rabies Control Ordinance. However, Bulloch County has never adopted an Ordinance. He also presented copies of a Rabies Control Ordinance from Ware County and City of Waycross. Mr. Bray said when this state law was adopted Bulloch County, due to

the fact it would entail hiring an animal control officer, construct a quarantine area and purchase a vehicle, didn't feel it was financially feasible at that time and each time it was presented, it was tabled. He said he was unofficially designated rabies officer and he has never been challenged because people were afraid of rabies and have just assumed Bulloch County had this law on the books. Mr. Bray give details of handling animals in suspect rabies cases. He commented rabies is not on the decline and this situation needs to be addressed to protect citizens of Bulloch County.

Mr. Bray was asked how many dog bite cases were invested each year. He answered 100 to 150 and ninety percent of calls come from medical community which makes him think half of dog bite cases are not investigated. He added of the domestic dogs bites invested more than one half of the dogs never had a rabies shot, this is scary.

Commissioner Smith said he didn't realize the county didn't have a Rabies Ordinance. Chairman Anderson said he didn't realize it either. Commissioner Smith remarked this definitely needs to be addressed and County Manager should develop a proposed Ordinance and plans to implement it.

Commissioner Alston said Mr. Bray commented this issue was being tabled each time it was presented but he didn't remember it being presented since he became a member of the Board. Mr. Bray remarked it was presented last just prior to time Commissioner Alston joined the Board.

Chairman Anderson stated the object of Mr. Bray's information was to make Board aware of issue and there were others present to discuss incidents which happened in the past few days. He recognized Ms. Tammy Roberts.

Ms. Roberts gave details of incident where her kitten was killed on her back porch by a neighbor's dog. She said this is the second animal she owned which has been killed by this dog and has also attacked another neighbor's pet. She added the dog just roams the mobile home park and she's afraid to let her son out, the dog has attack three animals and she is afraid it could attack a child. She said she had asked the owner to do something with the dog, they did chain the dog but it's lose at least once a day. She commented, with no county ordinance, the owners really don't have to do anything. She said she contacted the Sheriff's Department, Magistrate Court and Jimmy Dodgen but was told, legally, there was nothing they could do. She said the Sheriff's Department did respond three times. She presented a petition signed by 150+ people requesting an ordinance for dog control and presented a copy of Liberty County's leash ordinance.

Chairman Anderson asked Jimmy Dodgen to explain the Dangerous Dog Ordinance. Mr. Dodgen reviewed this Ordinance and explained it basically says the dog must bite someone. It's a State Law which requires each county to appoint a dangerous dog officer but it doesn't address dog attack on other animals or pets, only if the dog attacks or bites a person it becomes a potential dangerous dog. He gave details of step to be followed in these cases.

There was some discussion of lease laws in subdivisions and densely populated areas. Mr. Dodgen commented such restrictions would be in subdivision convenes which county couldn't enforce. He remarked he and Billy Cook of Sheriff's Department met with Ms. Roberts and asked her to get mobile home owner's address. They plan to write the owner a letter to encourage him to have leash law in mobile home park, couldn't make him do it but could make him aware of the problem.

Mr. Dodgen give details on recent incident where a dog in a fenced yard bit

a child and said the child was bit but was not in bad condition, no stitches were required. He commented this didn't excuse the dog biting the child but he wanted Commissioners to know it was not as bad as first reported. He said from all reports this dog has never shown any signs of being vicious, it's a hard call whether this is a dangerous dog, it was in a fenced yard but it did bite the child. Mr. Dodgen commented the dog's owners assured him the dog had been vaccinated for rabies and he planned to check this with the veterinarian.

Mr. Franklin said definition of dangerous dog in the law is somewhat vague, it's so difficult to define what is a dangerous dog and it seemed to him it will have to be addressed from the standpoint of the animal rather than define a level of potential harm.

Mr. Bray agreed with Mr. Franklin and said there is no set rule to define a dangerous dog, it's hard to anticipate what constitutes a vicious dogs. He said he has work cases where dogs which were never thought to be vicious have bitten someone.

Commissioner Lee asked what would be wrong with taking state law and expanding it to give Mr. Dodgen or someone a law to work with before going to extreme of trying to pass a leash law which county won't be able to enforce. Expand dangerous to be more than if the dog bites somebody, it's dangerous if it attacks other animal or if complaints are received.

Mr. Franklin said a nuisance type ordinance would probably address the situation such as one described by Ms. Roberts as well as other complaints. He outlined how ordinance would be drafted and process of steps for enforcement.

Commissioner Hodges suggested the County Manager, Staff Attorney, Mr. Dodgen, Mr. Franklin and others involved draft an Ordinance for the Commissioners' review. Chairman Anderson assured Mr. Bray the rabies issue would also be addressed. Mr. Wood said Ordinance would be drafted for Commissioners' review.

Chairman Anderson presented next item of business, D.O.T. Contract for Stilson Elementary School and said this has already been approved but authorization to execute the contract is needed.

Upon motion by Commissioner Hodges, seconded by Commissioner Simmons and carried, Department of Transportation contract in the amount of \$32,443,37 for Stilson Elementary School was approved.

Chairman Anderson advised an item which would probably be on the next agenda was a petition for lighting district for Grove Lakes Subdivision, Tax Assessors' Office is in process of verifying names on the petition. He commented, if he remembered correctly, when first lighting district (Irongate) was established the Board said if it didn't work well, another one wouldn't be approved. He said it (Irongate) wasn't working well and asked Mr. Wood to give details.

Mr. Wood advised 68% of amount billed for lighting at Irongate has been paid thus far. He added the Ordinance could be repealed and the administration fee can be changed from project to project. He added the problem is if Grove Lakes is not approved in the next two meetings, it will miss the charge on tax notices for this year.

Delinquencies were discussed. Chairman Anderson said Mr. Wynn, Interim Tax Commissioner, had assured him an effort would be made to collect unpaid accounts and if they are not collected, lighting for Irongate can be discontinued. He added he wanted the Board to be aware of situation with Irongate because Grove Lakes petition will probably be on next agenda.

Chairman Anderson advised the Recreation Board needs an ad hoc committee to

review contract between City and County on recreation matters and said Commissioner Beacham and Commissioner Alston have been asked to represent the county on the Committee.

Chairman Anderson asked for other business or comments. Upon motion by Commissioner Beacham, seconded by Commissioner Smith and carried, meeting was adjourned subject to call.


E. Raybon Anderson


ATTEST

September 20, 1994
Statesboro, Georgia

The Board met at 8:30 A.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and twelve visitors. Commissioner Hodges gave the invocation.

Minutes of regular meeting on September 6, 1994 were reviewed. Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, minutes of September 6, 1994 meeting were approved as distributed.

Chairman Anderson asked if there was any old business for discussion. Commissioner Beacham asked the status of a Carding Ordinance for beer and wine sales which was discussed at a previous meeting and the county attorney was asked to implement. Chairman Anderson advised draft of this ordinance has been given to Mr. Jones, Staff Attorney, and he has been asked to contact the City Attorney because, as discussed, such an ordinance needs to be a city/county effort. Commissioner Beacham said he would like to see this topic addressed.

Commissioner Hodges referenced approval of restripping for 30 miles of county roads and said after the County Attorney and Warden developed a list of roads to be restripped it has been determined 39.6± miles of restripping are needed. Commissioner Hodges offered a motion to increase approved mileage for road restripping to 39.6 miles. Commissioner Beacham seconded the motion. In discussion Commissioner Lee asked if bidding would include the centerline as well as lining road edge. Mr. Tatum said yes, that was the plan. Motion approving restripping of 39.6 miles carried.

The first item of new business was the Grove Lake Subdivision Lighting District Petition. Chairman Anderson remarked all criteria has been met for this petition to be considered and asked for any discussion.

Commissioner Hodges offered a motion to accept Grove Lakes Subdivision Lighting District Petition. Commissioner Beacham seconded the motion. In discussion Commissioner Alston asked for update on collections for lighting in the Iron Gate Subdivision. Commissioner Hodges said it was his understanding the majority of unpaid amount was unsold lots owned by one party. Mr. Scott, Tax Appraiser, advised this was correct and most of these lots were under appeal. Chairman Anderson said payment for lighting has been discussed with Ms. Boulineau and he hoped residents of Grove Lakes understand they will be expected to pay and if do not pay, there are procedures which are followed for collection.

Ms. Cecile Boulineau, resident of Grove Lakes, gave brief history of street lighting for Grove Lakes and said after county adopted Ordinance to allow

establishment of street lighting districts residents of Grove Lakes began process which lead to the petition for street lighting district for Grove Lakes. She added they were hopeful they would have lighting approved to begin next year and hoped Commissioners would act favorably to their request.

Motion accepting Grove Lakes Subdivision Lighting District Petition was carried. Legal process required will be followed and date set for Public Hearing.

Chairman Anderson presented a letter of intent and grant application for Statesboro Regional Library building expansion. He remarked \$606,000 of multi-purpose sales tax monies was approved by voters for this building and requested authorization to sign the letter of intent and grant application pledging \$606,000 for this building expansion.

Upon motion by Commissioner Smith, seconded by Commissioner Simmons and carried, Chairman was authorized to sign Letter of Intent and Grant Application for Statesboro Regional Library building expansion.

Next item of business was presentation of motorgrader bids and recommendation. Bids for two motorgrader from two vendors were received; John Deere 770-BH - \$114,950 and John Deere 772-BH with sloper - \$164,850 from Industrial Tractor; Caterpillar 140G - \$121,568 and Caterpillar 140G with sloper - \$170,960 from Carlton Company. Chairman Anderson referenced letter from Mr. Wood to accept bid from Industrial Tractor for two motorgraders.

Upon motion by Commissioner Hodges, seconded by Commissioner Beacham and carried, bids for John Deere 770-BH motorgrader for \$114,950 and John Deere 772-BH motorgrader with sloper for \$164,850 were accepted. Purchase will be funded by multi-purpose sales tax monies for public roads.

Chairman Anderson reviewed schedule for Public Hearings, one for Grove Lakes Subdivision Street Lighting and one for County-wide Zoning Plan and asked for adoption of this schedule.

Upon motion by Commissioner Alston, seconded by Commissioner Simmons and carried, schedule for Public Hearings was adopted. Public Hearing for Grove Lakes Subdivision Street Lighting District will be held on Tuesday, October 4, 1994 at 5:45 P.M. in the Community Room of the North Main Annex. Public Hearing for County-Wide Zoning Plan will be held on Tuesday, October 4, 1994 at 7:30 P.M. in the Courtroom at the Bulloch County Courthouse.

Chairman Anderson asked for other business or comments. Commissioner Lee gave an update on county's bicentennial and said this Committee has developed a tentative agenda for events for the county's bicentennial in 1996. He invited input from the Commissioners or any citizens interested in participating.

Commissioner Alston commented on Portal Turpentine Festival Parade to be held on Saturday, September 24th.

Commissioner Beacham referenced Mr. Wood's letter on dog control and said he thought the Humane Society would be the appropriate agency to assist with rabies vaccination and he suggested they be an administrative source for this type of activity.

Chairman Anderson said he thought state law provides some directions and several Department Heads along with the County Manager are working to develop policy for Board's review.

Chairman Anderson asked Mr. Bob Smith for update on recycling centers. Mr. Smith reported new center on Cypress Lake Road was opened on Friday. He said this center covers a large area and opening was very successful with over 200 vehicles on Saturday and Sunday.

Chairman Anderson asked for update on road pavings. Mr. Akins reported paving for Old River Road started today and paving for Black Creek Church Road and Nessmith Road would be done next week. He added the paving contractor has assured him that work on Friendship Church Road would be begin as soon as right-of-way problem was handled.

Commissioner Lee commented he has received some complaints on lack of mowing on county maintained paved roads. He asked if an analysis was done to show savings for spraying versus mowing. Mr. Akins said analysis was done several years ago, he didn't remember the figure, but it was cheaper to spray.

Chairman Anderson asked for other business or comments. He said agenda called for an Executive Session for a pending real estate transaction.

Upon motion by Commissioner Hodges, seconded by Commissioner Alston and carried, regular meeting was moved into Executive Session for discussion of real estate transaction.

Chairman Anderson reconvened the regular meeting at 9:41 A.M. and stated announcement had been made that regular meeting was again in session. He commented the building had been checked and there was no one from the news media in the building. It is noted one citizen did enter the room and remained for the meeting.

Chairman Anderson recognized Mr. Jonathan Goldman of First Boston. Mr. Goldman said the purpose of this meeting was to discuss some trends in the health care industry, to discuss First Boston's engagement here and to share some information already shared with the medical staff. He gave background on First Boston and process resulting with their engagement by the Authority. He said he wanted to restate up front the Authority had the foresight to structure their engagement to prevent their prejudice toward any action taken. They were engaged to look at options available to the Authority and to the County, including the construction of a new facility, potential sale, potential lease, potential merger, potential restructure, potential affiliation.

Mr. Goldman gave a brief overview of current health care environment and the significant shift in health care. He said they were now in the first phase of their engagement which was divided into four phases. Phase I was to work with the Authority to establish goals and objectives, phase II was to examine options, phase III was to determine a course of action which best met the goals and objectives, phase IV was final execution. He said one step in their process was to determined who would be party to these decisions, Hospital Authority, Bulloch County, the medical staff, resident around the hospital and lastly, the most important part of the process is what's best for the community. He review issues considered in Phase I, goals and objectives, and said there was a consensus between the doctors and Authority on the goals and their priority. Mr. Goldman remarked all the goals and objectives start eliminating the options and they came out with two courses of options, sell or lease. He footnoted this with statement that a new facility may or may not be incorporated into either of those strategies.

Mr. Jennings interjected the medical staff submitted to the Authority in the form of a letter to Mr. Bird, copied to other Authority members, a statement of support of the Authority moving in the direction of sale or lease. He said attached to the letter was the medical staff provided goals which they felt were important, which were the same goals the Authority had and which the Authority adopted in a special meeting. He said this letter could be shared with the Commissioners if desired.

Mr. Goldman said, because of some legal constraints, process on sale or lease cannot move forward one step based on present title structure. He asked Ms. Becky Livingston to address this issue.

Ms. Livingston presented diagram of layout of the campus of the hospital and highlighted portions titled to the county, property where hospital sits and two lots which don't have must significance in the issue. She reviewed legal problems the Authority and medical staff face in going forward. She said they were present to request the Commissioners to transfer the property to the Authority because if it's not transferred, the county can only sell the property at a public sale or auction. She commented it's important to remember this restriction does not apply if the county transfers the property, if transferred one from county entity to another county entity. She added the Authority intends to pay off what remains of approximately \$130,000 worth of debt on the G.O. Bond issue of 1966 at the time of property transfer. She reviewed legal steps to follow if property is transferred and gave steps Authority would follow prior to any execution on sale, lease or merger to allow an opportunity for public input before any final decision on course of action. She repeated the process cannot proceed with this impediment and said it was imperative to have the Commissioners' decision.

Mr. Bird emphasized the Hospital Authority was committed to delivering the best medical care to the community that is within their means. He remarked dollars from the sale of the hospital was not their goal, they were looking at the quality of health care now and in the future. He said they were committed to proceeding with the feasibility study.

Chairman Anderson referred to the Committees named by Mr. Bird and asked if the negotiating committee made up of Mr. Howard, Commissioner Smith and Dr. Harrison reported to the Hospital Authority. Mr. Bird replied it reports to another Committee made up of six Authority members which in turn reports to the Authority where final decision is made.

Chairman Anderson said there seems to be a question of why the two Committees. Mr. Bird responded the larger Committee was set first to get a majority of the Authority on the Committee and the second Committee was result of need for a even smaller Committee. He added, in fact now since process has progressed, the larger Committee could conceivably not be utilized, that would be an Authority decision.

Mr. Howard remarked he had been on the Authority for nine months, everybody has got the same goals, everybody wants the same thing, but they can't work together. He said this wasn't an easy decision but the Authority needed the title to the property. He said the Authority had First Boston to tell the medical staff a lot of the details of what will happen in this transaction. He added the physicians are not going to cooperate with this Authority and he didn't know of anything they will cooperate with because for nine months he had tried to get them together and it's impossible. He said if don't go forward, it's down the tube and without title it cannot go forward.

Mr. Franklin asked what was being done with leases or sales regarding indigent care and said he had a concern for the county if indigent care is not addressed, will county be protected. He said there is substantial cash assets, which a present existing state statute says in case of a lease or sale, has to be set aside to be use as a trust fund for indigent care. But his concern where county would be if they convey this property and it's leased or sold with the county not protected against payment of indigent health care.

Mr. Bird said one of the things in negotiations is, that whatever form it

takes, sale, lease, merger, that surviving entity will assume indigent care for this county, that's one of the goals, one of the objectives, one of the conditions.

Mr. Franklin said another question was the cash reserve, what is the proposal if sell or lease, how will cash reserve be handled.

Mr. Bird remarked law provides for proceeds as result of sale or lease be put in trust fund and present monies will taken off table so money is not entrapped in restrictive law. He added, normally, don't sell cash and it can be held in reserve, it can be held in reserve if in fact a new hospital is built. He remarked it would be imprudent to commit all monies and not keep some reserves as backup for the debt or other health care purposes.

Commissioner Alston said he had to leave and apologized for this, but he didn't see any advantage in the county holding the property and he hoped the issue of indigent care would be immortalized with some type of document.

Mr. Franklin said he and Mr. Brown had discussed earlier the potential for an option and drafting an option in such a way to absolutely protect the interest of the county regarding the issue of indigent care. He asked the legal impediment of an option rather than an outright transfer.

Ms. Livingston said, in her understanding, in order for the package to be sent out, to be favorably considered, bids be received, offers made, need transfer to the Authority and full ownership by the Authority. She added, while she would feel comfortable with an option and Mr. Franklin would feel comfortable with an option, she wasn't sure someone else would be comfortable, it was her feeling they would not. She said it may restrict options in seeking proposals if don't have complete conveyance.

Mr. Goldman commented, from practical standpoint, no matter who the party is, it would be imprudent for them to lay their cards on the table if they weren't dealing with the real situation, if they go through negotiations and there wasn't a real deal, they have expended time, energy and money and have also shown their cards to competitors which may not be a situation they can control.

Mr. Franklin said a purchaser probably would never be aware of the fact, but if they were aware, he couldn't see how an absolute option or contract of conveyance, a binding contract between the Commissioners and Hospital Authority, would constitute an impediment to the marketability of the package.

Ms. Livingston remarked she could not see advising the Authority to issue a package that did not reveal the fact and therefore she believed it would be a very real impediment.

Commissioner Smith said to move this issue along he would offer a motion that the county transfer title of the property the hospital is located on to the Hospital Authority with the stipulation that the Bond Issuance be satisfied. Commissioner Alston said he would seconded the motion but he had something to add, add that there be some understanding on indigent care. Commissioner Smith said the Authority are taxpayers and will be working with their utmost diligence to work out a solution for indigent care. He added he didn't think the Commissioners could dictate how and when what's going to happen.

Commissioner Hodges asked was it true that if the Authority billed the county for indigent care now, the county would have to pay. Mr. Franklin said yes, that was true.

Commissioner Smith said, from his viewpoint, the Authority is not negligent of this, they are concerned about a very broad scope, concerned with providing the highest level of medical care to all citizens of Bulloch County by best means possible.

Chairman Anderson asked Commissioner Alston if his concerns had been addressed. Commissioner Alston said, whatever happens, he hoped the Commissioners address the issue of indigent care.

Commissioner Hodges said he didn't think it could be put in motion, because in transfer of the property to the Authority, he didn't think Commissioners could anyway restrict them to maintain indigent care.

Mr. Franklin said, again, he would recommend an option or absolute contract with condition that any proposal accepted by the Authority addressed indigent care. He said once the deed is signed the property is gone, there could be a Memorandum of Understanding, some separate contract between the County and the Authority, but condition could't be put on the face of deed.

Chairman Anderson asked Mr. Bird if he would ask the Authority to eliminate the first larger committee or agree to add Commissioner Smith to that Committee, that would ease the Commissioners' minds that indigent care is addressed.

Mr. Bird said he didn't have a problem with that, but Commissioner Smith's committee will be the committee which interviews prospects and this issue will be addressed at that time. He added if that's a concern, he didn't have any problem going with that aspect.

Commissioner Beacham commented when this Board took office statement was made it wouldn't be asked to vote on an issue not on the agenda. He said he thought it was a land acquisition and no background information was included with the agenda. He said this is an extremely important issue and he had a real problem in voting in favor, he wasn't voting not to transfer the property but hadn't had time to assimilate everything. And he had another question, why hasn't the other study committee gone forward, that was a concern, that committee was hung up.

Chairman Anderson said he thought that committee was hung up on one word and from what's been heard this morning he thought the Authority was willing to go ahead with the study and he hoped it would move forward.

Commissioner Hodges asked Commissioner Beacham if he needed a day or two to consider the issue before he made a decision. Commissioner Beacham said he would vote against it without that.

Commissioner Lee said he had confidence in the Authority but the Commissioners have a card to play and he thought the community would look to the Commissioners and not the Authority. He said he didn't understand why something short of deeding the property couldn't be done and let the process continue, an option or resolution. But to have nothing tied down and be ask to deed the property was too much for him to do it.

Ms. Livingston made two points, she reminded the Commissioners they had a community spokesperson in Commissioner Smith who will continue on the Committee and said there could be another legal problem with transfer of the property on the eve of sale or lease of the property, this could slow the legal process down.

Mr. Howard said transfer of the property is so involved legally, it's a step that has to be taken. He commented that the two parties are not going to get any closer together, it's not going to happen, need to move forward.

Chairman Anderson and Commissioner Smith agreed with Mr. Howard's comment that the two parties are not getting any closer.

Commissioner Lee said he realized the two parties aren't going to work together and he thought the Authority was moving in the right direction but he still had a problem with Commissioners transferring title to the property without knowing the outcome. He added he didn't understand why county's

ownership of the property presented such an impediment, Authority could proceed with the process and when have serious prospect present full details of the deal to the Commissioners who can then feel comfortable in transferring the property.

Mr. Goldsman said if county holds property until deal is made, under scrutiny of statute, sale has to go to the highest bidder but there is an exemption if property is transferred to another public entity, that gives the Authority the discretion not to go with highest dollar bid but go with the best bid in an overall package. He added Ms. Livingston had eluded to his next point, there is a process called a step transaction, if transfer property to the Authority just so they can turn around and sell or lease it, the exemption is no good. He said the only way the exemption is valid is if the county transfers the property to the Authority under the goodwill that they are going to operate the facility, they may sell or lease it, but as far as the county is concerned it's a clean break.

Commissioner Lee asked what period of time would be needed for it not to be called a step transaction.

Ms. Livingston said her thought would be that it's a good faith period of time. She said after property is transferred a Declaratory Judgement Action, which confirms the conveyance, has to be filed in Superior Court and it will probably take six to eight weeks for that process.

Mr. Franklin said he hadn't had time to look at step transaction issue and couldn't give an opinion.

Commissioner Hodges said he didn't want to see the process breakdown but if Commissioners had some time (a day or two) to review the issue, he thought it would pass.

Commissioner Smith commented of all the opinions available if this is not done, there is one other opinion, that is a merger which the majority of the doctors absolutely do not want.

Chairman Anderson stated there was motion with a second on the table.

Commissioner Beacham said he would like to study the issue until tomorrow, fifteen hours. Commissioner Beacham offered a motion to table action on transfer of property until 8:00 A.M. Wednesday.

Commissioner Lee said he would like for Mr. Franklin to have some time to research if this is the only option.

There was some discussion of motions on the floor. Mr. Franklin advised the motion to table action took precedent. After some discussion of requirements for call meeting Mr. Franklin suggested recessing the meeting until 8:00 A.M. Wednesday.

Commissioner Beacham restated his motion to table action on transfer of property and recess the meeting until 8:00 A.M. Wednesday. Commissioner Lee seconded the motion and it carried. Meeting was recessed.

Chairman Anderson reconvened the meeting at 8:00 A.M. on Wednesday, September 21st. All Commissioners were present as well as the news media and 34+ visitors. Chairman Anderson advised some Commissioners were on a very restrictive schedule and he hoped the issue could be resolved in time for them to meet their schedule.

Chairman Anderson stated there was a motion on the floor and open for discussion. Request was made for motion to be read. Motion was read, motion was, made by Commissioner Smith, seconded by Commissioner Alston, to transfer property to Hospital Authority with the stipulation the Bond Issuance be satisfied.

Commissioner Alston commented there were a lot of doctors present and asked for recap of discussion for their benefit. Highlights of meeting to this point were; Hospital Authority felt, at this point, it was imperative to have property transferred; some Commissioners felt they need more time with additional information before taking action; some Commissioners felt once property is transferred they wouldn't have as much direct influence or correspondence with Authority as now have; all Commissioners have a concern with issue of indigent care; Mr. Franklin had problem with simply deeding the property, he thought an option would be a better avenue to take.

Commissioner Smith said he thought the question was, are the Commissioners going to try to control the operation of the hospital or leave it with the Hospital Authority. He continued the Authority has set a goal by obtaining services of First Boston to make an assessment of the facilities and go out with request for proposals for new governance at the hospital within next few months. He said, as see many changes in health care industry, time is of essence, have been informed by the Authority and First Boston that these changes are coming fast and time is of essence. They have said they cannot proceed without clear title to the hospital, very limited in their ability to negotiate with other parties. He said, again, the question was, would it be turned back to the study committee who in turn would make recommendations to the Authority or try to dictate the way the hospital is operated from the Commission seats.

Commissioner Simmons said his personal feeling was it was moving too fast and he understood Commissioner Smith's statement, time is of essence, he didn't want to run the Hospital Authority or run the Hospital. But a feasibility study was started some time ago and he would like to have that completed and have their recommendation before transfer property to Hospital Authority. He said he thought the Authority is doing a good job but sometimes you can move too fast and get yourself in a bind.

Commissioner Hodges agreed with Commissioners Simmons. He said some months (4) ago the Authority had decided to completely renovate the hospital and the Commissioners got involved at that time by citizens and doctors saying that may not be the right thing to do. He continued in four months time it has gone from renovating to either selling or leasing. He said he felt the need to take a little time to let an expert firm give results of feasibility study, a long range feasibility plan.

Commissioner Beacham said in his comments Mr. Goldman has said an integral part of presentation or study would include results of feasibility study that was proposed. He added he thought any action taken by Commissioners would hinge on the feasibility study being completed with all necessary information. He said, again, in this comments Mr. Goldman had said the feasibility study was the key. Commissioner Beacham said without the feasibility study he thought it was inappropriate for the Hospital Authority or anybody to take any action.

Commissioner Smith commented transferring the property was not really taking any action, it was basically giving them the means to begin their work, this is a very unique situation in state of Georgia, one body owns the physical facility while another owns the property it sits on.

Commissioner Lee referenced Memo of Agreement and asked Mr. Brown if this was prepared after the meeting yesterday. Mr. Brown responded it resulted in discussions where Mr. Franklin outlined concerns of the Commissioners and the Authority has attempted to respond to those concerns with this Agreement. He reviewed some points in the Agreement.

Mr. Brown said there were mammoth legal complexities in this process and

ultimately attorneys beyond any present here must approve the financing of any proposed lease or other action and many things remain to be done. He commented in the Authority's view rather than it being a premature matter, for fifteen months now the Authority and medical staff have often been faced with irreconcilable differences about governance of the hospital and there is now an agreement with the Authority and the medical staff there should be new governance and if retain that goal, need to move forward. He said his point was that while the feasibility study, to which the Authority is committed, goes forward there are other things which need to be done. One of which is the Declaratory Judgement Action which gives legal sanction to process and this will take at least eight weeks. It will take about eight weeks for Peat Marwick to return with its findings and at that point the Authority will have in hand the findings from the feasibility study and will have legal title to the property. If wait eight weeks until the conclusion of Peat Marwick study, have created a legal hole, because at this point have focused on a particular kind of transaction and if there is a focus on that transaction and the county at that time conveys the property, tax attorneys advise that will be deemed a step transaction which is subject to legal challenge. He said rather than Commissioners acting prematurely, he submitted to delay was to devalue the hospital, to delay is to continue the irreconcilable difference between the staff and the Authority, to delay is to dig a legal hole. He added it's important the Commissioners act today with the written commitment of the Authority as set forth in the Agreement. If delay, will defeat not only the goal of the Authority but of the county and medical staff to have new governance. He deferred to Mr. Franklin to comment on step transaction and legal hurdle it presents.

Mr. Franklin said he had done some research since yesterday and there is no Georgia authority on this issue of step transaction. He said he was furnished some citation of cases in other states but none of these involved transfers of this type. He added he had discussed this issue with tax attorneys in his firm, obsoletely they were not bond attorneys nor has he spoken with bond attorneys, again from his standpoint, again not being an expert in that field, he did not see the problem. He said Mr. Brown has spoken with bond attorneys, has voiced their concerns and his statement of their concerns is certainly accepted. He remarked the procedure discussed yesterday of a contract setting out clearly the conditions on which the property would be transferred would meet the test, it's not a transaction where the consideration of monies from sale of the hospital would flow to the county. He said his recommendation addresses not the policy issue of whether or not to transfer the title but addresses the issue if Commissioners decide to transfer title, there are certain conditions which should be incorporated in a separate Memo of Understanding or contract between the Commissioners and the Authority. He reviewed his memo to the Commissioners setting forth these conditions. He said he had reviewed the proposed Memorandum of Understanding prepared by Mr. Brown on behalf of the Authority and there were some language changes he would address if Commissioners decide to go forward with the transfer.

Mr. Brown commented they would be most receptive to working with Mr. Franklin to modify the Memo of Agreement. He reviews the points in the Agreement which cover the items of concern by the Commissioners and Mr. Franklin. He emphasized if the feasibility study finds new construction feasible, the Authority will make new construction a goal of negotiations.

Commissioner Smith commented there was a large number of the medical staff

present and he wanted to say something to them and to everyone. He remarked Mr. Howard and he had been invited to some of the medical staff's meetings to discuss these matters and they haven't taken this lightly, many of matters discussed are incorporated in this Agreement, these matters have been brought back to the table. He said this is an attempt to implement, basically, all items stated as goals and objectives of the medical staff. He commented, in his opinion, it was dead in the water until start the process and this is part of the process.

Commissioner Alston commented on Memo of Agreement and said he hoped the last sentence of Item 2 would be deleted in the rewrite. He referenced letter dated September 5th signed by Dr. Gottlieb which stated the medical staff heartily approved of the recent direction the Authority has taken and believes that it will truly result in the betterment of health care in Bulloch County. He said he hoped Dr. Gottlieb could discuss this letter today.

Commissioner Alston apologized for having to leave the meeting and said he probably wouldn't be present when vote was called but he supported the concept of transferring the property to the Authority.

Chairman Anderson said before Commissioner Alston left the meeting, if Commissioners were ready to vote, he would call the question on the motion on the floor.

Commissioner Hodges said before the vote was called could someone from the medical staff make a brief comment.

Mr. Hal Roach, counsel for medical staff, said the medical staff does not agree the property be conveyed at this time and would like an opportunity to explain why.

Chairman Anderson said he met with members of medical staff on Monday and the three concerns they voiced are addressed in the Memorandum of Agreement.

Dr. Herb O'Keefe referenced original Agreement between Commissioners, Hospital Authority and medical staff to conduct a feasibility study and statement made by the Chairman, according to minutes of the meeting, that if that study indicated a new hospital should be built, gentlemen agreement was made and agreed to abide by the study. He said it was thought there was a contract which would lead to the justification of a new hospital, now a new committee is going out for sell or lease which seems to be circumventing the process.

Chairman Anderson said he would like to abide by his promise to the Commissioners for a short meeting, he wanted a good meeting but some Board members did have other commitments.

Mr. Roach repeated the medical staff opposed the transfer of the property to the Authority at this time, he thought that was virtually unanimous. He gave history of how events occurred from Certificate of Need to renovate the hospital to the point of the Agreement for feasibility study and agreement on firm to conduct the feasibility study. He said the agreement on firm to conduct the feasibility study was two months ago, the study could have been complete today if it had started then. They thought the new committee negotiating sale or lease undercut the Agreement for the feasibility study. He said the medical staff wants what's best for the community, don't want to just sell the hospital, don't know what the feasibility study will show, want to know what's best first.

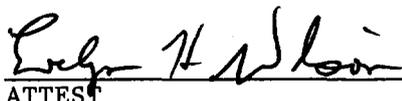
At this point Commissioner Alston, Commissioner Simmons and Commissioner Smith had left the meeting.

Commissioner Hodges said he wasn't ready to vote, he had another commitment and he didn't think decision could be made at this time.

Chairman Anderson said these people came to be heard. Commissioner Hodges said he realized that but he had another commitment and he would like to see the issue tabled until time could be set when all Commissioners could be present.

Chairman Anderson said he didn't think vote could be called, three Commissioners had already left and if Commissioner Hodges had to leave, meeting would be adjourned and rescheduled.

Chairman Anderson adjourned the meeting.



 ATTEST


 E. Raybon Anderson

October 4, 1994
 Statesboro, Georgia

PUBLIC HEARING - 5:45 P.M.
 Grove Lakes Subdivision Lighting District

Persons present: Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Lee and Commissioner Smith, news media and 21 citizens

Chairman Anderson called the meeting to order and announced the purpose of this Public Hearing was to discuss proposed establishment of Grove Lakes Subdivision Lighting District. He said there was some discussion in the last Commissioners' meeting and didn't want to be repetitious but floor was open for other comments, written or oral.

Ms. Cecile Boulineau said she would just like to repeat their request that Commissioners look favorably on this lighting district.

Chairman Anderson asked if anyone opposed this plan. Mr. Ed Sprole, who gave his address as North Jackson Street, said he had never seen the completed plan.

Mr. Kirk Tatum, County Engineer, present map showing area to be lite and placement of lights.

Chairman Anderson asked Mr. Hohn Scott, Chief Tax Appraiser, to explain Ordinance and billing for lighting districts. Mr. Scott explained the Ordinance allowed cost of lighting to be added to tax bill and if this lighting district was approved, an amount of \$38.64 would be added 1994 tax bill for every lot in designated area. He added this will cover lighting fee for 1995.

Commissioner Alston commented a group of citizens in Grove Lakes has requested a special tax district which is a legal process and he thought Commissioners were obliged to move forward.

Chairman Anderson said he didn't know of any opposition to this plan, all comments have been in favor.

Mr. Sprole said, at this point, he would be opposed, there was no lighting improvements for his street.

It was explained that six lights were being added and present lights were being upgraded. This upgrading of present lights with 150 watt high pressure sodium lights would increase lighting intensity by more than one-third in the area. Lighting in entire area will be increased at no additional cost.

Commissioner Beacham suggested consulting with Georgia Power personnel, there could be hole in the plan.

Comment was made that more lights added would increase allocation of cost per lot, was there any mechanism to stop this. Commissioner Beacham said the

additional lights would be decision of the neighborhood committee, Georgia Power wouldn't just add lights, would have to have County approval.

Chairman Anderson said contract was with the County. Commissioner Alston commented the Commissioner support the plan which is presented by the neighborhood committee, whatever that plan calls for. Commissioner Smith added any plan could be updated at a future date if need arises.

Mr. Sprole said this plan is a starting point, cost of lights is more equally divided among people who benefit regardless of location.

Commissioner Anderson asked for other public comments on proposed Lighting District. He explained there would be no official vote in this Hearing, this topic was on the agenda for action in the regular meeting.

No other comments were made and Chairman Anderson announced the Public Hearing adjourned.

Evlyn H. Wilson
ATTEST

E. Raydon Anderson
E. Raydon Anderson

October 4, 1994
Statesboro, Georgia

The Board met at 6:00 P.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Lee and Commissioner Smith present. Commissioner Hodges was absent.

Chairman Anderson called the meeting to order and welcomed the news media and 19 visitors. Commissioner Lee gave the invocation.

Minutes for regular meeting beginning on September 20, 1994, recessed and reconvened on September 21, 1994 and minutes for Executive Session on September 20, 1994 were presented. Upon motion by Commissioner Beacham, seconded by Commissioner Smith and carried, minutes of these meetings were approved as distributed.

Chairman Anderson remarked the the first item on the agenda, presentation by Bulloch County 4-H Clubs, was cancelled due to conflict in schedule of club members. He said a request was received for a proclamation and this would be handled first. He presented a Proclamation for MADD Project Red Ribbon. Upon motion by Commissioner Smith, seconded by Commissioner Beacham and carried, Proclamation for Project Red Ribbon was approved for Chairman Anderson's signature.

The first item of old business was resolution establishing Grove Lakes Subdivision Lighting District. Chairman Anderson asked action on this resolution. Upon motion by Commissioner Smith, seconded by Commissioner Simmons and carried, resolution establishing Grove Lakes Subdivision Lighting District was approved. See exhibit #1994-22

Chairman Anderson asked for other old business.

First item of new business was paving contract for new EMS building. Mr. Wood reviewed bids for this project and recommendation to accept the low bid submitted by Shuman Construction. Bids received were: Coursey Construction - \$20,442; Ellis Wood Contracting - \$20,694; Reeves Construction - \$25,945.50; Shuman Construction - \$20,100. Mr. Wood explained the county share of the contract was \$7,9595.40 which will be paid from designated Multi-purpose Sales Tax funds.

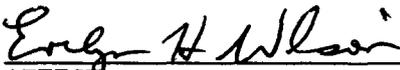
Upon motion by Commissioner Simmons, seconded by Commissioner Beacham and carried, bid of \$20,100 by Shuman Construction for paving at new EMS building was accepted.

The next item of business was approval for payment for pauper's burial. Chairman Anderson presented documented request from Director of Department of Family and Children Services for payment of \$250 for pauper's burial to Payton's Mortuary.

Upon motion by Commissioner Simmons, seconded by Commissioner Lee and carried, payment of \$250 to Payton's Mortuary for pauper's burial was approved.

Chairman Anderson asked for other new business. With no further business for Board discussion, Chairman Anderson called on Mr. John Tucker who had requested to be on the agenda for this meeting. Mr. Tucker was not present. Chairman Anderson said Mr. Tucker had requested to speak to the Board and that request was granted in writing and faxed to Mr. Tucker.

There being no other business, upon motion by Commissioner Beacham, seconded by Commissioner Alston and carried, the meeting was adjourned subject to call.


 ATTEST


 E. Raybon Anderson

October 4, 1994
 Statesboro, Georgia

PUBLIC HEARING - 7:30 P.M.
 Bulloch County Courthouse

Persons present: Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Lee, Commissioner Smith, news media and 120+ citizens.

Chairman Anderson called the meeting to order and welcomed everyone. Mr. John Scott gave the invocation.

Chairman Anderson announced this purpose of this meeting was for public comments and input on proposed Zoning Ordinance for Bulloch County. He said this meeting would be a series of three Public Hearings, first would be Public Hearing on policies and procedures; second would be Public Hearing on standards governing the exercise of zoning powers; third would be Public Hearing on the Zoning Ordinance and official Zoning Map. He stated public comment could be made during any one of the Public Hearings and could be held until the last Hearing. Chairman Anderson said persons who had signed up to speak would be heard in order in which they signed up and stated each person would be allowed three minutes in which to speak and should state their name and address for the record. He recognized Mr. Ricky Nessmith, Co-chairman of Citizen Committee, to present overview of how the Comprehensive Plan and the idea of Zoning and the Citizen Committee came about.

Mr. Nessmith explained how a Comprehensive Planning and Zoning Development Committee made up of forty volunteer citizens was formed in 1993 as result of Bulloch County's Comprehensive Plan required by Georgia Planning Act of 1989. He said Commissioners charged this Committee to examine planning, development, zoning concepts and procedures and to explore special problems and issues regarding planning development, zoning and to make recommendations to the Board of Commissioners. He said the forty citizens on this Committee were from diversified backgrounds and were asked to recommend a proposed Zoning

Ordinance to Board of Commissioners. He remarked he thought this Committee had done an outstanding job trying to make sure that Zoning Ordinance was fair and trying to preserve the quality of live enjoyed in Bulloch County. He added the process has taken a longer than expected which has raised some question but which he thought was a tribute to the Committee, their concern throughout this process has been to recommend an Ordinance not intended to restrict growth but to focus and channel growth so the county's infrastructure can support that quality of live for its citizens. He said this has not been a easy job, a Public Hearing not required by Law was held because the Committee felt it was needed to inform citizens and get some input. He said the purpose of this meeting was to present the Committee's recommendations to the Commissioners and to listen again to the input from citizens.

Mr. Ken Jones, Staff Attorney, presented legal requirements of the Public Hearings. He covered the statute giving local governing authorities power to enact Zoning Ordinances. He said this would be a set of Public Hearings on the proposed Zoning Ordinance as it has been presented to the Commissioners by the Citizens' Committee. He continued there would be no vote taken tonight on this proposal, the Hearings were for the purpose of obtaining public comments on the proposed Ordinance. And the comments received would go back to the Committee for further refinement or changes necessary and then presented to the Board of Commissioners for action at such time as they deem necessary. He further explained each one of the required three Public Hearings. He said, as Chairman Anderson has explained, public comments might be retained until third Hearing because most of these comments will pertain more to that Hearing.

Chairman Anderson asked if there were any comments before Hearings were opened.

PUBLIC HEARING - Policies and procedures for conducting Public Hearings on Zoning

Chairman Anderson said the first Public Hearing dealt with policies and procedures and called on Mr. Ken Jones to present this topic.

Mr. Jones presented the section of the proposed Ordinance dealing with policies and procedures for conducting Public Hearings on Zoning. He presented an outline of these policies and procedures which covered the time frame for calling a Public Hearing, notice of the hearing in news media, the meeting place for hearings, submission of written comments, public comments in the meeting, procedure for conducting hearing requirement for Board to announce time frame for vote on proposed amendment and time frame to refile amendment if it is denied. He said these are policies and procedures for conducting Public Hearings on Zoning as presented to Commissioners by the Citizens' Committee.

Chairman Anderson asked if there was any public comments on the policies and procedures for conducting Public Hearings on Zoning.

Dr. James Hood read a prepared statement which said Zoning in theory appeared good but it doesn't work and called for the issue to be put before the vote of citizens.

Chairman Anderson asked for other comments and reminded everyone these comments should be confined to policies and procedures.

With no further comments, Chairman Anderson adjourned the Public Hearing on policies and procedures.

PUBLIC HEARING - Standards governing the exercise of Zoning Power

Chairman Anderson said this second Public Hearing dealt with standards and called on Ms. Susan Hill to present this topic

Ms. Hill presented the section of the Ordinance dealing with standards governing the exercise of zoning powers. She said these standards were very important because the both the Planning and Zoning Commission and the Board of Commissioners would consider these standards in every case. She read the eleven standards as well as three other issues which could be considered in any case.

Chairman Anderson asked for any public comments on standards governing the exercise of zoning power.

There being no comments, Chairman Anderson adjourned the Public Hearing on standards.

PUBLIC HEARING - The Zoning Ordinance and Official Zoning Map Overview

Chairman Anderson said this third Public Hearing would be for presentation of the proposed Zoning Ordinance and Official Zoning Map and said Mr. Ricky Nessmith and Mr. Garrett Nevil would make these presentations.

Mr. Nessmith said copies of the proposed Zoning Ordinance were available for review. He gave an overview of the proposed Ordinance and five districts set up in the Ordinance as well as detail review of classifications. He remarked all comments and public input received from the first public review had been considered by the Committee and several changes and revision was made as result. He repeated the Committee tried to be fair to everyone while preserving quality of life for all.

Mr. Nevil presented overview of official Zoning Map and said it's made up of a numbered set of tax maps, a total of 300 maps. He reviewed classification of areas around municipalities showing how classifications changed as moved out into less populated areas of the county. He advised the preliminary draft maps are available and urged anyone who had a question about classification of any area to contact the county staff.

Mr. Nessmith reviewed procedures for request for variances, rezones, conditional uses, procedures for amending the Ordinance and Maps and the appeals process. He said all comments, oral or written, resulting from this Hearing would be considered in presentation of Ordinance to Board of Commissioners.

Chairman Anderson said floor was now open for public comments on the Zoning Ordinance and Official Zoning Map. He advised twenty-seven people had signed up to speak and reminded everyone of three minute time limit. He said speaker would be call in order signed up and should come to the podium and state their name and address for the record.

People making comments were:

Francis Allen	Ron Bussey	Jim Bigley
James Hood (spoke earlier)	Julia Volkman	John Sorrell
Ralph Gill Ann Volkman	Ann Volkman	Arthur Cardin
Lynn Lee	Tammy Anderson	Terry Patray
Larry Landers	Joe Bell Lewis	Bob Seel
Larry Roberts	Charlie Lewis	John Paul Ellis
Lorraine Pugliano Dekle	Robbie Bell	James B. Lanier
Mrs. Woody Brawer	John B. Lanier	Ronnie Tremble
Mrs. Wilson Groover	Gesmond Neville	Alf Smith

Some comments were made in favor of zoning while others were made opposing zoning. Those in favor of zoning said property values and quality of life need

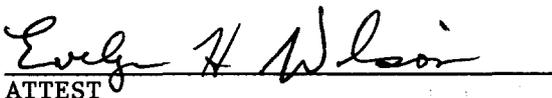
to be protected. Development and growth, which everyone agreed was good, needs to be managed. Several personal situations were given where property was impacted by unrestricted development. Most opposition to zoning came from Manufactured Home Association and others who said lot size requirements were too large for people who could only afford manufactured homes, restricted manufactured homes to mobile home parks which wasn't fair. There were some comments made that property owners should be able to do anything they wanted with their property. A couple of complaints were made about the Subdivision Regulations already in place. Some asked for variance of classification of their property.

Chairman Anderson thanked everyone for their attendance and input. He said all comments would be reviewed by the Committee and Office Staff for final presentation to the Board of Commissioners. He advised any action taken by the Board would be at a later date and notice of meeting would be advertised. He urged anyone with comments or questions and those who request variances to contact the Staff.

Chairman Anderson adjourned the Hearing.

*Note - for full transcript of proceedings see exhibit #1994-23.


E. Raybon Anderson


ATTEST

October 18, 1994
Statesboro, Georgia

The Board met at 8:30 A.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and eight visitors. Commissioner Smith gave the invocation.

Minutes of regular meeting on October 4, 1994, minutes of Public Hearing for Grove Lakes Subdivision Lighting District on October 4, 1994 and minutes of Public Hearing on Zoning Plan on October 4, 1994 were reviewed. Upon motion by Commissioner Beacham, seconded by Commissioner Alston and carried, minutes of these meetings were approved as distributed.

The first item of old business was a report on tax collections by Interim Tax Commissioner Jack Wynn. Mr. Wynn presented a summary of tax collection activities for 1993 taxes showing amount collected from November 1993 through September 1994 of \$8,797,000. He advised refunds of overpayment of voluntary payments amounted to \$258,000 and balance of 1993 taxes due, according to computer printout, was \$1,221,000.

Ms. Julie Smith present report on collection of delinquent taxes giving amount collected for April through August of \$67,500 and amount collected for September through October 10th of \$66,700 for a total from April through October 10th of \$134,200. She clarified that these figures included collection of penalty and interest as well as delinquent taxes. She advised sales for delinquent taxes were scheduled for December.

Chairman Anderson thanked Mr. Wynn and Ms. Smith for these reports and said these figures reflect good progress on tax collections.

With no other old business, Chairman Anderson presented the first item of new business, an Ordinance for culverts on road rights-of-way. He said during

recent heavy rains seventy-five percent of problems were caused by dead ramps into private property which prompted this Ordinance. He continued dead ramps were removed but as water receded citizens begin to put them back. Mr. Tatum commented water running down a ditch, hits a dead ramp and cuts the road out.

Upon motion by Commissioner Beacham, seconded by Commissioner Smith and carried, Ordinance for culverts on road rights-of-way was adopted. See exhibit #1994-24.

Next item of business was appointment for regional MH/MR/SA Board. Chairman Anderson advised board member had resigned leaving a vacancy for Bulloch County and said a suggestion of a person to fill this appointment has been received.

Upon motion by Commissioner Alston, seconded by Commissioner Simmons and carried, Mr. Julius Abraham, Jr. was nominated to fill vacancy on regional MH/MR/SA Board.

Chairman Anderson said next item of business, Planning Commission variances for Walter Garvin and Bob Bell would be handled one at the time. He asked Mr. Jimmy Dodgen to present these variances.

Mr. Dodgen reviewed section of Subdivision Ordinance dealing with variances which explained why these developments required a variance.

Commissioner Beacham asked if dual ownership was the only thing the Commissioners were being asked to consider in variance for Walter Garvin, it was noted the Planning Commission had some concerns about width of road, was the only question that two owners be allowed to participate since it's immediate family.

Chairman Anderson said he thought the Planning Commission had some concerns with the road with multiple ownership.

Mr. Dodgen explained, in a Plan Development, the Ordinance did not specify if road or street must be paved or unpaved, this is left to discretion of Planning Commission because of traffic, width of road, right-of-way width and density. He said the variance would be two ownerships in this Plan Development instead of one and Planning Commission wanted Commissioners to look at 24 foot road to make sure they felt that was adequate.

Commissioner Hodges asked if Board approved the dual ownership because it's family, did it go back to Planning Commission to look at the road. Mr. Dodgen said it did with Board's recommendation. Commissioner Hodges said he didn't have a problem with dual ownership because it was family but it needs to go back to Planning Commission to look at the road because that's the concern.

There was some discussion of 24 foot road right-of-way and how recommendation should be made to Planning Commission.

Commissioner Hodges offered a motion to approve Walter Garvin's request for variance for joint ownership because of family relation subject to the road being paved and proper drainage design with approval from County Engineer's Office. Commissioner Smith seconded the motion and it carried.

Mr. Dodgen presented variance for Bob Bell, saying this property was on Highway 119 and plat of property shows five parcels suitable for building because remainder of property is very, very wet. He said Mr. Bell wants a private dirt street to service these five lots. Mr. Dodgen advised Subdivision Ordinance states any private street shall be developed to county standards, in subdivisions having five or fewer tracts the private street may be exempted from paving requirement by Planning Commission. He said this tract has six parcels, only five are being developed, which would mean this road had to be paved. Mr. Bell is asking for variance to allow him to make this a dirt road with understanding the large, undeveloped parcel cannot be developed.

Commissioner Hodges commented private dirt roads are causing county problems, people can't get in and out, ambulances and other public safety vehicles can't get in. Commissioner Smith commented there is potential for lots on other side of this road being developed. Chairman Anderson said if this is accepted with dirt road, it has to be understood that as long as this is a dirt road no other lots can be sold or developed unless road is paved.

There was some discussion about property, owned by another party, on other side of road and number of dwellings per lot. Commissioner Hodges asked if it could be required to include in title the fact that this is private road and does not belong to the county. Mr. Dodgen said it's requested that be done in these cases, but he didn't know if it is done. Chairman Anderson said that didn't solve the problem, he's heard comments by property owners that they didn't know road was private when they purchased the property.

Commissioner Smith offered a motion to deny the request for the variance. Commissioner Lee seconded the motion and it carried.

Chairman Anderson said agenda did not include bid for road restriping which was received after agenda was finalized. He asked Mr. Wood to present the bid results.

Mr. Wood presented bids received for road restriping which were: Peek Pavement Marking - \$29,100; Mid-state Striping - \$22,327; Moore's Pavement Markings - \$21,000. He gave roads to be restriped and said this was approximately 40 miles of restriping. He recommended accepting bid of \$21,000 from Moore's Pavement Markings. He said contractor will be required to provide proof of insurance before award is finalized.

Commissioner Lee offered a motion to accept bid of \$21,000 from Moore's Pavement Markings for restriping of approximately 40 miles of roads. Commissioner Smith seconded the motion and it carried.

Chairman Anderson said discussion was needed on setting time to take action on Zoning Plan which can be at the next regular meeting in two weeks and asked attorneys if this would allow enough time for advertising. Mr. Jones, Staff Attorney, advised advertising requirements have been met.

Commissioner Hodges offered a motion Zoning Plan be on the agenda for next regular meeting scheduled for Tuesday, November 1st. Commissioner Beacham seconded the motion and it carried.

Chairman Anderson asked for other business. Commissioner Lee said Bicentennial Planning Committee was making good progress but was at a point of needing money for supplies for oral history project. He offered a motion for approval of a maximum of \$500 toward Bicentennial Project. Commissioner Hodges seconded the motion and it carried.

Commissioner Lee referenced Recreation Board request concerning sales tax monies and said he thought some response should be made to them.

Commissioner Alston said in a meeting of the Recreation Board, of which he is a member, Mr. Rollins and Mr. Hill were asked to contact the County Manager and bring the figure back to the Recreation Board. He continued this information has not been provided to the Board but a meeting is plan for this week.

Chairman Anderson remarked any distribution of surplus monies is at the discretion of the Commissioners. There was some discussion on initial formula for projects in original sales tax and distribution to date. Commissioner Hodges asked if breakdown of distributions could be provided so Commissioners could see what has been spent on each project. Information for total tax collections and amount spent for each project will be provided to Commissioners

for their consideration of further distributions to all projects.

Chairman Anderson asked for any other business or comments. Commissioner Smith said he thought there were two Commissioners, Commissioner Beacham and Commissioner Simmons, who should be recognized for completing training requirements for Certified County Commissioners. Chairman Anderson congratulated Commissioner Beacham and Commissioner Simmons for completing this program. This makes four Commissioners who are now certified with others also working toward certification.

Chairman Anderson said Ted Wynn along with John Roger Akins had prepared a video for Commissioners' review of road conditions around the county as results of heavy rains. Mr. Wood said Mr. Akins, Mr. Tatum, Mr. Wynn, Mr. Boyett, as well as countless others, went above and beyond the call of duty handling road problems caused by the heavy rains last week.

Chairman Anderson asked for other comments before viewing of video. Mr. Franklin said he had one pending legal matter for Executive Session, report on the Cardin Case.

Upon motion by Commissioner Hodges, seconded by Commissioner Alston and carried, meeting was adjourned to be moved into Executive Session for discussion of legal matter following viewing of video.

 Regular meeting was reconvened. Chairman Anderson asked for other business or comments. There being none, upon motion duly made, seconded and carried, meeting was adjourned subject to call.


 E. Raybon Anderson


 ATTEST

November 1, 1994
 Statesboro, Georgia

The Board met at 6:00 P.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and 140+ citizens. Commissioner Alston gave the invocation.

Minutes of regular meeting on October 18, 1994 and Executive Session on October 18, 1994 were reviewed. Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, minutes of these two meetings were approved as distributed.

The first item of old business was action on Zoning Ordinance. Chairman Anderson remarked this Ordinance has been studied for eighteen months by a Citizens Committee. He recognized Mr. Ricky Nessmith, who co-chaired this Committee, to present their recommendations.

Mr. Nessmith said in May 1993 the Commissioners formulated a resolution enacting forty citizens to study zoning for the county as an outgrowth the Comprehensive Plan. He stated the Committee had met for eighteen months, review fourteen to sixteen counties in the immediate area which have zoning, made numerous changes, putting much time and effort in this process. He remarked Public Hearings were held, after which several more changes were

made. He said the Ordinance being presented tonight is the end result of eighteen months effort by Citizens Committee which establishes the standards for Zoning Ordinance and associated maps for Bulloch County.

Chairman Anderson remarked five people had asked permission to speak and each person should come forward when called and would be allowed three minutes to speak. He said others would be given an opportunity to speak but comments would be restricted to subject and not be repetitious. Persons who had asked to speak were: Larry Landers, Joe Bell, Ron Bussey, Jackie Heath and Kenneth Rowe.

Mr. Larry Landers, representing Georgia Manufactured Housing Association, said they appreciated the opportunity to work with the Committee and staff in making changes in the Ordinance and they realized a good many changes had been made concerning manufactured homes. However, there were a few items which they would like to see modified, these being the five acres to one acre, allow single section homes as conditional use for medical and construction hardship. They also had concerns with the section dealing with compatible standards and the section dealing with existing manufactured home rental communities which are required to bring the rental community into conformance with new standards where other uses don't have to. He said Mr. Hiller Spann, Chairman Board of Directors of GMHA, would like to make a comment.

Mr. Spann presented a letter covering points made by Mr. Landers and reiterated Mr. Landers' comments. He remarked manufactured homes were the affordable housing available to most of the citizens of Bulloch and surrounding counties.

Mr. Joe Bell commented the 1990 Comprehensive Land Use Plan showed that one out of five homeowners lived in manufactured homes. He said they would liked for someone representative of manufactured homes to have been on the committee and would like for Commissioner to consider one member of the Zoning Board be associated with manufacturing housing. He gave average cost per square foot for building houses compared to cost per square foot for manufactured homes. He said one of the goals was to insure increasing pride and affordable housing for all low to moderate income persons, families, special population in Bulloch County and its municipalities, manufactured housing is that. He said a 14x70 manufactured home has effectively been zoned totally out of all "R" districts and covered requirements for manufactured home parks.

Mr. Ron Bussey said he spoke at the Public Hearing and had reviewed the changes and appreciate the changes. He commented no manufactured housing retailers had been contacted, they handle affordable housing, don't take away people right to choose, don't pass the five acre requirement.

Mr. Jackie Heath commented his children couldn't afford this Ordinance, give them a chance with one acre of land and a mobile home.

Mr. Kenneth Rowe said he would like Commissioners to consider people who can't afford much, but living in mobile home beats renting and he thinks zoning shouldn't affect people whose only option is to live in mobile homes.

Several others made statements, most of which concerned manufactured homes and five acre requirement. Other comments were; if person could buy five acres, maintenance of five acres would present a problem; county shouldn't have right to tell landowners what they could do with their land; citizens of county should have right to vote on zoning; everything done affects people not only now but in the future; this is regulation without due process and behavior can't be regulated with an Ordinance; this is an attempt

to segregate people; everyone who have to live in mobile homes didn't want to live in mobile home parks.

Ms. Louise Brannen commented she was in favor of zoning and she had nothing against mobile homes, but referring to comment that everyone didn't want to live in mobile home park, if that person has a mobile home on an acre and developer puts a mobile home on an adjoining fifty acres, they're in a mobile home park whether they want to be or not. Also if next door neighbor wants to put in a go-cart track, he can put it in, or a junk yard. Zoning is needed to protect what people own and have worked for.

Commissioner Alston asked if someone could clarify minimum lot size designations for manufactured homes in the different districts in the Ordinance.

Staff Attorney Ken Jones stated, contrary to popular believe, AG-5 is not the only zone in the county and five acres is not only requirement, there are many, many areas of the county that are zoned for smaller parcels of land. He said AG-5 is predominately what is found in the county because most of the county is already in farms with over five acres of land. He commented one thing needed to be made clear, the county is not going to force anybody to change where and how they are living now, the Ordinance will not affect anyone's present residence. He gave the different parcel size designations; AG-5 which is dedicated agricultural uses as well as living uses; R-80 single family residential area of 80,000 square feet (about 2 acres); R-40 single family residential of 40,000 square feet (about 1 acre); R-25 single family residential of 25,000 square feet (about 1/2 acre); R-15 single family residential of 15,000 square feet; multi-family or apartment residential; manufactured home park areas. Mr. Jones explained there were provisions for planned residential areas for subdivison type development as well as designated commercial and industrial areas. He said designated residential areas did have housing size requirements but there were no such requirements in AG-5 areas. He concluded there were different areas in the county, it is not all AG-5.

Mr. Dodgen explained there were provisions for request to rezone or to request variances. Ms. Hill explained, in the AG-5 district, there is a provision to give an acre to family members as long as five acres remain in the original parcel.

Chairman Anderson asked for action on Zoning Ordinance presented by the Citizens Committee.

Commissioner Beacham offered a motion to adopt the Zoning Ordinance as presented by the Citizens Committee. Commissioner Smith seconded the motion.

In discussion Commissioner Hodges said when first begin considering zoning there were AG-15, AG-10 and AG-5, AG-15 and AG-10 were eliminated, leaving AG-5. He asked the reason for not scaling this down further. Ms. Hill explained zoning was result of the Comprehensive Plan mandated by the state and the preservation of agricultural is stressed throughout the Comprehensive Plan which is the basis of the Committee decision.

Commissioner Smith commented one of the misconception is zoning is trying to eliminate mobile homes from certain areas, this is not the case. Commissioner Alston commented the focus has been on AG-5 and where manufactured homes can be located and manufactured homes going into AG-5 have been addressed, but that's not what this Ordinance is all about, manufactured homes can be in other areas as Mr. Jones explained. He said he would like to hear from a farmer, if there is one present, who is concerned with agriculture, what size

farms they would like. Commissioner Smith responded, being in agriculture, he would like to address this question, there are practices unique to agriculture which do not lend themselves to residential areas and this is one reason for trying to somewhat segregate the agricultural areas from residential areas so there are not such things as crop dusting and spraying, livestock operations in the middle of a residential area. He said when this happens you will have conflicts and ultimately agriculture will lose out and when it's lost county begins to lose the one thing which founded this county and kept the county going for many years. He added it would be very easy to lose the agricultural productivity of the county just by not being able to disseminate areas for agriculture and areas for residential.

Chairman Anderson called for vote on motion to adopt Zoning Ordinance as presented by Citizens Committee. Vote was by show of hands with Commissioner Beacham, Commissioner Simmons, Commissioner Smith voting in favor of motion and Commissioner Alston, Commissioner Hodges, Commissioner Lee voting in opposition of motion. With vote ending in tie, Chairman Anderson exercised his power to vote and voted in favor of motion. Motion to adopt Zoning Ordinance carried. Zoning Ordinance includes the policies, procedures, standards and official zoning maps, which are comprised of a set of tax maps and referred to in Section 23 of the Zoning Ordinance. See exhibit #1994-25

Commissioner Anderson announced the official enactment date of Zoning Ordinance would be November 4, 1994.

The next item of old business was consideration of Resolution establishing the Zoning and Planning Commission. Chairman Anderson commented this Resolution established the Commission and named appointees for the first Commission.

Upon motion by Commissioner Smith, seconded by Commissioner Simmons and carried, Resolution establishing Planning and Zoning Commission was adopted. See exhibit #1994-26.

Chairman Anderson said next item of business, Animal Control Ordinance, was presented for first reading and action would be at later meeting. He added it was presented for review and comments.

Commissioner Lee said he had some concerns with parts of Ordinance because some language in Ordinance could cause some hardship to outdoors men who train and hunt kennels of dogs. Commissioner Hodges voiced concern with section of Ordinance dealing with repeat violations in a twenty-four month period. Ms. Debbie Hagan, representing Humane Society, said they would like to see section dealing with humane treatment have some language included for tie-outs and length for tie-outs. Commissioner Beacham referred to section dealing with vaccination and said there was no fee schedule for cost of administering this Ordinance. Chairman Anderson said he thought this was set by state regulations.

Chairman Anderson said language of Ordinance would be reviewed and asked Board to advise of other changes for action at future meeting.

Item of new business was contract for transfer station building for solid waste program. Chairman Anderson asked Mr. Wood to give briefing on this item. Mr. Wood advised bids were opened yesterday at City Hall for transfer station building to be located at landfill site, pending approval under permit by rule application made about a month ago. He said, according to City Engineer Robert Cheshire, twenty contractors were invited to bid with two bids received, Pearce Construction - \$238,000 and Pope Construction - \$276,000. He said it should be noted Pope Construction bids included a shorter time frame

but Committee didn't feel shorter time frame overrode the higher price.

Commissioner Lee asked if bid specifications stipulated a time limitation. Mr. Wood remarked the bid specifications did stipulate a time limitation and requested an explanation for any time beyond the limitation, Pearce Construction chose to address this item, Pope Construction chose not to address this item. He explained time limitation in bid was 120 days and Pearce Construction time for completion was 180 days. He said Pearce Construction adequately addressed additional time, every contractor was given the same opportunity and the feeling was savings of \$40,000 justified the additional 60 days.

Mr. Wood said it should be noted this bid was for construction of building only, it didn't include the slab work, the retaining wall, the leachage collection system.

Mr. Wood said request was for authorization for the county and city to enter into a contract with the low bidder without being required to do so, this would cap this bid price so if building is over designed, square footage can be reduced and cost renegotiated accordingly. He said this proposal would be presented to City Council for action in meeting scheduled for tomorrow.

Commissioner Hodges offered a motion to accept low bid of \$238,000 from Pearce Construction for transfer station building with provision that if building size is reduced, cost will be renegotiated accordingly. Commissioner Alston seconded the motion and it carried.

Chairman Anderson asked for other business. Commissioner Lee referenced section of newly adopted Zoning Ordinance dealing with AG-5 and quoted from page 42 "a landowner may split a minimum of one acre from the parcel for the construction of a dwelling for a family member, so long as a minimum of 5 acres remains in the original parcel of land". He said he would like to offer a motion to strike "so long as a minimum of 5 acres remains in the original parcel of land". He added a lot of people have voiced concerns about this one item and he didn't think, from a practical sense, that would present any appreciable problem.

Chairman Anderson said he didn't think that could be done now. Mr. Jones remarked any amendment would require an advertised Public Hearing with period of fifteen days before vote.

There was some discussion on amending Ordinance and process to be followed for making changes. Board asked for some clarification on how, by whom and to whom amendments would be submitted and procedure to be followed.

Chairman Anderson asked for other business. Upon motion by Commissioner Smith, seconded by Commissioner Beacham and carried, meeting was adjourned subject to call.


E. Rayben Anderson


Attest

November 15, 1994
Statesboro, Georgia

The Board met at 8:30 in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present. Commissioner Simmons was absent.

Chairman Anderson called the meeting to order and welcomed the news media and 18 visitors. Commissioner Alston gave the invocation.

In opening remarks Chairman Anderson recognized and welcomed James Deal, Tax Commissioner-Elect and said Commissioners looked forward to working with Mr. Deal.

Minutes of regular meeting on November 1, 1994 were reviewed. Upon motion by Commissioner Beacham, seconded by Commissioner Alston and carried, minutes of November 1, 1994 meeting were approved as distributed.

First item of old business was report on collections of taxes by Interim Tax Commissioner Jack Wynn. Mr. Wynn reported collections for the month of October of \$266,000 with \$192,000 for 1993 property taxes and \$74,000 for recording intangibles, delinquent taxes, timber taxes and other miscellaneous. He remarked \$91,000 was collected for property taxes during the first ten days of November and gave example of activity for automobile tags and titles with \$13,861 collected during first ten days of November. He gave amounts carried in bank accounts and said he was working to get this money distributed. He said intangible tax digest, which is \$146,000 for this year compared to \$118,000 for last year, has been received from the Department of Revenue and intangible tax bills will be mailed this week. He asked Ms. Julie Smith to give report on delinquent tax collections.

Ms. Smith presented a handout showing total tax amount due for 1986 through 1993 as well as amount uncollected and interest and penalty due for each year. Report showed total amount uncollected of \$1,520,639.69 including interest and penalty of \$324,827.92.

Next item of old business was Animal Control Ordinance. Chairman Anderson remarked this Ordinance was presented at the last meeting and a few changes were made after some discussion and review. He asked for action on this Ordinance.

Commissioner Beacham asked if the Health Department and Humane Society were in concurrence with the changes. Chairman Anderson said yes, the Health Department and Health Board have been involved from the beginning. Mr. Wood added the Humane Society had suggested some of the change and were aware of redrafted Ordinance.

Commissioner Beacham offered a motion to adopted the Animal Control Ordinance as presented. Commissioner Alston seconded the motion. In discussion Commissioner Lee said changes had addressed his concerns. Mr. Wood remarked, to be effective, this Ordinance was dependent on assistance of Humane Society. Ms. Laurie Rauber, President of Humane Society, said they were happy to have someone to work with and asked who to contact if they have a problem. Mr. Wood advised Ted Wynn would be first contact with Jimmy Dodgen second. Chairman Anderson remarked the Health Department would also be involved. Motion to adopt Animal Control Ordinance carried. See exhibit #1994-27

Chairman Anderson said effective date for Animal Control Ordinance needed to be established. Upon motion by Commissioner Hodges, seconded by Commissioner Beacham and carried, effective date for Animal Control Ordinance is November 15, 1994.

Next item of old business was Recreation Board appointment. Chairman Anderson presented recommendation from Recreation Board for this appointment. He said Mr. Steve Brown was recommended and Statesboro City Council has taken action on this appointment.

Commissioner Smith offered a motion to appoint Steve Brown to Recreation Board. Commissioner Alston seconded the motion. In discussion Commissioner Beacham asked which position was this appointment filled. Commissioner Alston advised this filled position formerly held by Ms. Claire NeSmith. Motion to appoint Steve Brown to unexpired term of Claire NeSmith on Recreation Board carried.

Chairman Anderson presented next item of old business, Resolution for RDC realignment. Commissioner Alston said he had reviewed this Resolution and offered a motion to adopt the Resolution. Commissioner Beacham seconded the motion. In discussion Commissioner Smith asked if this would be a joint Resolution between the city and county. Chairman Anderson said county along with Statesboro, Register, Portal and Brooklet were involved. Mr. Wood advised City of Statesboro has already passed the Resolution. Motion adopting Resolution petitioning removal from the Altamaha-Georgia Southern Regional Development Center in order to be realigned into the Coastal Regional Development Center carried. See exhibit #1994-28.

The first item of new business was a Subdivision Regulation variance for Mr. Paul Roesel. Chairman Anderson asked Jimmy Dodgen to present facts for this variance.

Mr. Dodgen said, first, he wanted to make it clear this variance had nothing to do with new Zoning Ordinance, it came under Subdivision Regulation which was in place prior to vote on Zoning Ordinance. He explained Remer D. Clifton had purchased property off Williams Road, known as Smith's Pear Orchard, and held an auction as laid out on auction map dated June 12, 1992. He said Mr. Roesel had purchased several parcels at this auction and presented plats of property of Mr. Clifton and property purchased by Mr. Roesel. He said Mr. Roesel wanted to further divide his property and brought his plan to the Planning Commission. He said access to parcels in question was an easement across a pond dam and Mr. Roesel has proposed to move the road off the pond dam with a 30' easement across Mr. Clifton's property. Mr. Dodgen said the Planning Commission felt moving the easement off the pond dam was an excellent idea and asked Mr. Roesel to request Mr. Clifton to allow 30' easement to be a 60' easement which has been done, Mr. Clifton has signed easement agreement for 60'. He presented excerpt from Subdivision Regulation covering this variance and explained, the way the Regulations are written, the whole subdivision must be considered, not just the re-subdivision which means there are more than five lots in the whole subdivision. He said Mr. Roesel is asking the 60' private road be a dirt road which the Subdivision Ordinance requires to be paved. Mr. Dodgen said if variance is granted, specific reason for variance has to be justified to prevent setting a precedent for future variance requests.

Mr. Dodgen referenced another excerpt from Subdivision Regulation which has an access provision and said the county road (Pear Orchard Road) leaving Williams Road going into Pear Orchard Lane was a real problem for the county, Pear Orchard Road is only 19' wide.

Commissioner Smith remarked, actually, Mr. Roesel is proposing a subdivision of a subdivision. Mr. Dodgen said that was correct, a re-subdivision, and that's the reason for looking for the whole subdivision.

There was some discussion of the 19' wide Pear Orchard Road and the fact that this was a county road by prescription and county did not own right-of-way. Commissioner Alston said a proposed improvement for Pear Orchard Road was presented to residents in that area and to his knowledge there has been no formal response to this proposal. He said the plan did include purchase of property for adjacent property owners.

Commissioner Beacham clarified the question was a re-subdivision of an existing subdivision greater than five lots and request to waive the paving of the new road from either the end of the cul-de-sac of Pear Orchard Lane or beginning of Mr. Roesel's property. Commissioner Smith added request also included waiver of access provision. Mr. Dodgen commented, in Mr. Roesel's defense, Planning Commission did not mention access provision. He explained that Mr. Clifton's plan was in place before the current Subdivision Regulations were passed, if it had been after these regulations were passed, all roads in the subdivision would have been paved and the access would have had to be improved.

Mr. Roesel said in his reading of Subdivision Regulation he didn't feel he was asking for a subdivision but was looking at a division of land on a private road and for that reason he didn't feel he was asking for a variance. He said when he purchased this property he didn't realize he would have such a terrible time getting good access. He remarked he obtained a 60' foot easement as requested by Planning Commission and was willing to call it a private road and sign a release assuring the county will never have to maintain the road. He said he questioned if it made sense to make him pave a road that was basically already there which he just moved to a more suitable location.

Commissioner Lee said the big problem was the Pear Orchard Road and question was if further subdivision would be allowed with a 19' foot access road. He said his concern was, if this variance is approved, eventually there will be more traffic and more problems with 19' access that the county is liable for. Commissioner Smith commented there was an obligation to future homeowners in this area to make sure when it's developed, it's developed properly and if variance is granted, it's getting away from that obligation.

Mr. Roesel said he wasn't aware of proposal the Ordinance suggested and didn't know that would affect what he was trying to do one way or another, but strongly felt his reasons for private road was correct and didn't feel he was unreasonable in that request.

Commissioner Beacham offered a motion to deny this variance for private dirt road. Commissioner Hodges seconded the motion and it carried.

Chairman Anderson asked for other new business. Commissioner Alston commented he had met with councilmen for Portal and they made him aware of a project involving citizens and nurses from Georgia Southern. They are attempting to renovate a leased building and asked assistance in renovation of this leased building. He said he understood this was a one year lease and his only suggestion was Community Service workers on Saturday and possibly Mr. Harry Jones's crew. Their last question was for some money from the county and he told them he didn't think the Board would approve any funds, it concerned him the building was leased for a one year term. He said he later learned they own property that they could possibly use. He commented he thought Chairman Anderson had received a letter from Mr. Brown and he was presenting this for the Board's information.

Chairman Anderson said he did receive this request and denied the request

for the main reason that it was a privately owned building which after a year could go back to owner, who would benefit from the improvements.

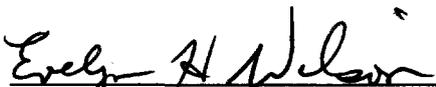
Commissioner Smith said, going back to the question on Pear Orchard Road, with development in this area this problem of a 19' road will have to be addressed in near future either by the county or the developer. He asked if there was anything the county could do, even though this plan has been approved, to require that this be done, can development be stopped until this is addressed. Mr. Franklin said he didn't think development could be stopped and if county makes a determination that Pear Orchard Road is inadequate to accommodate the increased development, the solution is to condemn such right-of-way as necessary to improve the road.

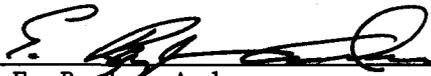
Chairman Anderson commented the new Zoning Board was made aware of this problem and hopefully, will deal with it in the future.

Chairman Anderson advised an Executive Session was needed to discuss possible land acquisition and he had been advised by Mr. Jones that an Executive Session is allowed for this purpose.

Commissioner Beacham offered a motion to moved the meeting into Executive Session to discuss possible land acquisition. Commissioner Hodges seconded the motion and it carried.

Regular meeting was reconvened. Chairman Anderson asked for other business or comments. With no other business or comments, upon motion duly made, seconded and carried, meeting was adjourned subject to call.


ATTEST


E. Raybon Anderson

December 6, 1994
Statesboro, Georgia

The Board met at 6:00 P.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and 9 visitors. Commissioner Simmons gave the invocation.

Minutes of regular meeting on November 15, 1994 and Executive Session on November 15, 1994 were reviewed. Upon motion by Commissioner Hodges, seconded by Commissioner Alston and carried, minutes of these two meetings were approved as distributed.

Chairman Anderson said before going into business session a presentation to recognize winner of Bicentennial Logo Contest would be made. He asked Commissioner Lee, Chairman of Bicentennial Committee, and Ms. Susan Hill to make this presentation.

Ms. Hill displayed all logos presented in the contest and presented winning design titled "A Time To Celebrate" submitted by Ms. Sara Daniels.

Commissioner Lee presented Ms. Daniels a certificate on behalf of the Board of Commissioners and said the work she put into the Bicentennial Logo was appreciated and everyone looked forward to seeing it widely displayed in the next two years.

The only item of old business was an update on Mill Creek Road paving and airport improvements. Chairman Anderson advised the contract has been let on

the road to be built around the airport runway extension and the county will have to pay some money to tie this portion of road into the county's two existing roads. He said the contract with Triangle Construction, which is a sixty day contract, only covers the part around the runway.

Commissioner Hodges asked length of road which is county's responsibility. Chairman Anderson said the two together were probably not much over a quarter of a mile. Mr. Wood said it was probably about 800 feet on each end, about 1600 feet total. Chairman Anderson added drainage and moving utilities would be the big expense.

First item of new business was a Resolution for Statesboro-Bulloch County Parks and Recreation Department. Chairman Anderson said the Statesboro-Bulloch County Parks and Recreation Department had been recognized statewide for its outstanding job for developing and administrating a program for citizen of Bulloch County. He asked Commissioner Alston, member of Recreation Board, to comment.

Commissioner Alston highlighted Recreation Department accomplishments, building of Regional Park, consolidation of city and county services in recreation, recipient of Georgia Child Care Council grant to expand after school services, recipient of state recognition as "Agency of the Year". He said recently a program was held to recognize all the volunteers who participate in recreation and now individuals who live in Brooklet, Portal, Nevils area feel they have some active representation on the Recreation Board. He said he, and he thought he spoke for all the Commissioners, was very proud of this program. He recognized Ms. Sherri Zeigler, Superintendent of Programs and Ms. Kelly Fortune, Marketing, of the Recreation Department and said Mike Rollins, Recreation Department Director, was out of town but he would have loved to have been present to receive this Resolution.

Upon motion by Commissioner Hodges, seconded by Commissioner Smith and carried, Resolution recognizing Statesboro-Bulloch Parks and Recreation Department for an outstanding job this year to be named "Agency of the Year" by the Georgia Recreation and Parks Association was adopted. See exhibit #1994-29.

Chairman Anderson presented the Resolution to Ms. Zeigler, Ms. Fortune and Commissioner Alston.

Next item of business was presentation of bids for paving of Pretoria/Rushing Road Compactor site. Chairman Anderson referenced memorandum from Mr. Bob Smith which gave bid results and Mr. Smith's recommendation. Chairman Anderson said he had discussed the recommendation with Mr. Smith and asked that Mr. Smith's recommendation not be accepted, but asked the Board to consider awarding the bid to local contractor who is within five percent of the low bid. He remarked it was county policy to consider a bid from a local company when bid was within a five percent margin and bid from Ellis Wood Contracting was within this five percent. Bids were: Coursey Construction Co. - \$11.66 per square yard; Sikes Paving Company Inc. - \$15.15 per square yard; Reeves Construction Co. - \$15.95 per square yard; Ellis Wood Contracting Inc. - \$12.25 per square yard.

Commissioner Smith said he had noted that Ellis Wood Contracting was within the five percent margin and offered a motion to accept bid of \$12.25 per square from Ellis Wood Contracting for paving of Pretoria/Rushing Road Compactor Site. Commissioner Alston seconded the motion and it carried.

Chairman Anderson referenced list of Beer and Wine License renewals and remarked these renewals had been approved by Sheriff Arnold Ray Akins.

Upon motion by Commissioner Smith, seconded by Commissioner Beacham and carried, Beer and Wine Licenses renewals were approved for the following:

Off-premises

Jack Edenfield - The Country Store
 William H. Mills, Jr. - Lakeview General Store
 Jerry Forehand - Stilson Country Corner
 Harold Marsh - Middleground Community Store
 Jimmy Evans - Time Saver #8, #9, #17, #22, #24, #26, #33
 Robert J. Donaldson - Northside Minit Mart
 Wayne Lindsey - Eagle's Corner
 John F. Rushing, Jr. - Freddie's
 Paul L. Thompson, Sr - Thompsons G & G
 Ruel Hendrix - Hendrix Grocery & Gas

On-premises

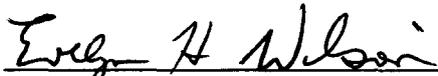
John F. Rushing, Jr. - City Limits dba Country Club
 Mary Beth Stafford - Bill's Place
 Stacy Webb - Forest Heights Country Club

Chairman Anderson presented three requests for assistance with expenditures for pauper burials of deceased indigents which were certified by Ms. Elizabeth Tankersley of the Department of Family and Children Services.

Upon motion by Commissioner Hodges, seconded by Commissioner Simmons and carried, payment of \$250 each for three pauper burials was approved. Commissioner Alston abstained.

Chairman Anderson asked for other business. He announced a called meeting scheduled for Tuesday, December 13th at 8:30 A.M. for the purpose of setting the millage rate and hearing two zoning variances.

Chairman Anderson asked for other business or comments. Upon motion by Commissioner Beacham, seconded by Commissioner Alston and carried, the meeting was adjourned subject to call.


 ATTEST


 E. Raybon Anderson

December 13, 1994
 Statesboro, Georgia

Called Meeting

The Board met at 8:30 A.M. in the Community Room of the North Main Annex for a called meeting with Chairman Anderson, Commissioner Alston, Commissioner Beacham, Commissioner Hodges, Commissioner Lee and Commissioner Smith present. Commissioner Simmons was absent.

Chairman Anderson called the meeting to order and welcomed the news media and one visitor. County Manager Scott Wood gave the invocation.

Chairman Anderson announced this called meeting was for the purpose of setting the 1994 millage rate for the Bulloch County. He remarked the Commissioners set the millage for county operations and not for the School Board, the School Board sets their millage. He referenced form showing millage required to fund the county budget.

For the purpose of discussion, Commissioner Hodges offered a motion to set the unincorporated millage rate of 9.83, incorporated millage rate of 11.84 and fire district millage rate of 1.98. Commissioner Lee seconded the motion.

In discussion Commissioner Smith asked if Commissioners had to approve the total millage rate including the School Board's rate. Mr. John Scott, Chief Tax Assessor, remarked the School Board submits a letter stating the millage rate they set to the Chairman. Commissioner Hodges asked, once the School Board sets their millage, it doesn't have to be approved by anyone.

Chairman Anderson said that was correct, all he had to do was sign form going to Revenue Department. Mr. Scott added the Chairman is just signing form that millage rate has been received from School Board. Commissioner Hodges commented they set their millage and no-one has any control over it. Commissioner Alston said he thought they have a ceiling set by State Law that they cannot exceed. Chairman Anderson said that was correct, they have a 20 mil ceiling.

Commissioner Lee commented millage for county was the same as last year. Chairman Anderson said gross millage was the same with net millage being a little lower than last year.

Motion setting 1994 millage rates for Bulloch County was carried. See exhibit #1994-30.

There being no further business scheduled for the called meeting, upon motion by Commissioner Hodges, seconded by Commissioner Lee and carried the meeting was adjourned.


ATTEST


E. Raybon Anderson

December 20, 1994
Statesboro, Georgia

The Board met at 8:30 A.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Hodges, Commissioner Lee and Commissioner Smith present. Commissioner Beacham was absent.

Chairman Anderson called the meeting to order and welcomed the news media and twenty visitors. Commissioner Hodges gave the invocation.

Minutes of the regular meeting on December 6, 1994 and minutes of called meeting on December 13, 1994 were reviewed. Upon motion by Commissioner Alston, seconded by Commissioner Lee and carried, minutes of both meetings were approved as distributed.

The first item of old business was a briefing on the Hospital Feasibility Study. Chairman Anderson recognized Mr. Colin McCulloch of Peat Marwick to give this update. Mr. McCulloch advised the first three phases of the engagement, first phase being what to do to improve health care delivery in Bulloch County, the second phase was to look at sizing, what services are needed, the third phase was the cost in fitting this all together. He asked his associate, Mr. Dick Wells, to give results of study.

Mr. Wells said the fourth phase was to determine feasibility study which they have not performed because it was their opinion, after having done the first three phases, and after discussion with the Hospital Authority and medical staff, that a sale of the hospital would be very prudent because of the past dealings between the parties. He continued they felt there was a very short time fuse, it's at the point where the future of health care is imperiled.

Chairman Anderson asked for comments from medical staff or Hospital Authority representatives.

Dr. Steve White commented the medical staff met and passed the joint Resolution between the Hospital Authority, Medical Staff and Board of Commissioner which is before the Commissioners today. He said twenty-eight

out of thirty-five doctors signed the resolution, ones who did not vote are on vacation.

Mr. Richard Bird stated the Hospital Authority vote unanimously to adopt the joint Resolution in its meeting on Monday night.

Mr. Arthur Howard said, with the changes in health care which are coming, he thought this would be a win for the public, for the doctors, for the community, a win situation for everyone.

Mr. John Tucker said he thought this decision was a little premature, if Peat Marwick was hired to do a feasibility study and only three phases, which does not include feasibility study, have been done, it's not complete. He gave some figures on reserves and projected reserves and said if in fact the County can build its own hospital, county owned and controlled, and if it comes to a point where health care changes are made and county can no longer afford it, that hospital will still sell. He said Peat Marwick has already proved a new hospital can be built for about \$19,000,000 and Peat Marwick was hired to answer the tough question of can the county build a new county maintained and operated hospital and if they don't give the answer to that question, they have failed miserably. If it's a matter of management versus doctors, Peat Marwick has the responsibility to identify the problem and present a solution, and if the solution is for the Hospital Authority to resign and have a new Board in place, that's what should be done.

Mr. McCullough responded the first thing they did was to interview all the Authority members, all the physicians and the employees and as result of those interviews they found that health care delivery in Bulloch County was at a crossroad, moving at ninety miles an hour with the turn about fifty ahead. Unfortunately, the physician community and the Hospital Authority cannot work together because of a communication problem and the timing for correction is probably a one to two month period. He said if things don't work out by, basically, today there's not going to be a new hospital, there won't be a hospital in general. Can't wait six months or two years to build a new hospital with idea that if it doesn't work out, hospital can be sold. He said the medical staff and Hospital Authority agree the way of establishing communication is to have a complete change in governance such as would be accomplished with a lease or sales agreement. Unfortunately, there is a time crunch, decision has got to be made now so both sides can work together, that's what this joint Resolution addresses.

Mr. Wells commented their engagement was not to find out who was at fault and to try to mediate a difference that has existed for some time, therefore they haven't done the public any disservice. He said the question is it has come to a point that there is no way for reconciliation under the current situation, both parties feel this is an amiable solution to the problem.

Mr. Tucker said if the problem is management, the Commissioners can deal with that, they have the authority to ask for the resignation of the entire Hospital Authority, they can't make them resign, but can ask for it.

Chairman Anderson commended both sides for the progress made in last few weeks, its come a long way. He added he appreciated having an agreement signed by the medical staff and Authority. He said the question is now before the Board of Commissioners but have to understand where this came from and how it got to this point. He said Peat Marwick was hired to do this study and, from attending five meetings of that study, there has been a lot of work done. He remarked he didn't want the public to believe it is something decided yesterday.

Mr. Howard commented this is not just a management problem, that is one problem, but problem is changes in health care are coming, hospital has to get its act together if it's going to compete as a hospital, don't have enough time for an Authority run hospital. He said this has been discussed for two years and a lot has changed since that first study, health care has changed a lot. He remarked everyone wants the same thing, the best health care for this county, this is the way to achieve it, by selling the hospital.

Mr. Jennings said, as Mr. Howard said, this is not just a matter of whether the county could afford to build a \$19,000,000 or 35,000,000 hospital, there are, as identified by Peat Marwick, a lot of other factors involved. He remarked consolidation is name for what's going on in health industry, this is not unique to Bulloch County, it's happening all over the country, not just in health care but in all kinds of businesses. He said the reason it's happening in health care is because of managed care, demand for lower cost health care, and the way to achieve lower cost health care is to have traditional hospitals working together in large systems, that where it's headed.

Commissioner Smith referenced section of joint Resolution which detailed negotiating committee as three Authority members and three medical staff members as voting members and the Hospital Administrator, one additional medical staff member and one County Commissioner as non-voting members. He said he had no problem with medical staff other than the fact that the medical staff is not an elected group, the Hospital Authority is appointed by an elected group, the Commissioners. He questioned if the people's voice was being given up when full veto power goes to a group that has no elected responsibility at all.

Dr. White explained, the way this developed, the medical staff felt they deliver the health care in Bulloch County, they know what's happening in the future of health care and also felt they could give more input to inform the rest of the Committee of what's is happening. Felt the medical staff should have some input, that was really one of the basic considerations of this Agreement.

Commissioner Smith said he could agree with medical staff having input but did have a problem with them having full veto powers over the future of health care in Bulloch County. He added with Commissioners, involved at this level, need to also considered in the voting.

Commissioner Alston asked if the negotiating committee, three Authority members and three medical staff members would bring their report back to the full Hospital Authority.

Dr. White commented, if Commissioners sign this Resolution, they have the final powers.

Commissioner Smith responded Commissioners have final power but don't have intermediate power of negotiation, that's where the real work will be done, this group will negotiate the terms with whoever will operate health care service in Bulloch County.

Commissioner Alston asked would this subgroup of the Authority, three Authority members and three medical staff members be bound by Sunshine Laws and required to have open meetings.

Mr. Franklin commented the Hospital Authority is governed by the Sunshine Law, the medical staff is not and he thought this would be an ad hoc committee which probably would not be subject to open meetings, open records laws.

Mr. Howard commented negotiations are not usually public, certain parts can be and when final recommendation is made, then it becomes public.

Commissioner Hodges offered a motion to pass the Joint Resolution of the Hospital Authority of Bulloch County and The Bulloch Memorial Hospital Medical Staff and the Bulloch County Board of Commissioners. Commissioner Alston seconded the motion.

In discussion Commissioner Lee asked if Mr. Franklin had any input in resolution and if he had any problems with language in the resolution. Mr. Franklin said he received a draft of the resolution from Mr. Charles Brown last week and received the final copy over the weekend. He referenced several sections of the Resolution which were not clear, one of these being indigent care. He said he had no input in the Resolution but any question might be cured with input in the specifics of the bid proposal.

Commissioner Hodges said he would hope the County Attorney would represent the Commissioners in drafting of documents. Commissioner Hodges amended his motion to pass the Joint Resolutin of the Hospital Authority of Bulloch County, the Bulloch Memorial Hospital Medical Staff and the Bulloch County Board of Commissioners with County Attorney to be involved with drafting of required documents. Commissioner Alston seconded the amended motion.

In other decision Commissioner Lee asked why this is such a short time question, is health care market moving this fast.

Mr. Wells commented statics over last three years show that more health care is leaving Bulloch County every year. With decision made today, negotiations will take some time and delay of one or two month will simply delay it longer.

Dr. White commented they see changes every day, either here, Savannah or Augusta, changes are made in hospitals every day which are mind boggling. He said he could foresee down the road, if the hospital is not competitive, Bulloch County will not have a hospital.

Mr. Bird commented the next few months are very critical, the hospital is facing an upcoming Survey of Accreditation and anyone who has ever dealt with accreditation is aware of extreme urgency for complete cooperation between the medical staff, hospital personnel and the Authority to assure passage. He said in the present environment he wasn't persuaded accreditation would be secured, failure would greatly reduce the marketability of the hospital.

Mr. Tucker commented there was \$30,000,000 in reserve and shouldn't it be used to break ground, stay in this market and hopefully get the money back as part of negotiation process.

Commissioner Smith referenced item 5 on page 2 which said the Authority has retained CS First Boston to aid the Negotiating Committee in divestiture of the hospital and asked if this organization was to continue in this role.

Mr. Bird said it was his understanding this was included to recognize CS First Boston's continued role.

Commissioner Smith said he understood the urgency of moving forward and wasn't trying to be a damper, but did Mr. Howard feel this Committee could function adequately through the negotiation process without special interest coming into play and causing some real problems.

Mr. Howard said he thought they could, he thought they all had the same goals. Dr. White added, at this point, it might be thought he had a special interest but he didn't have one company in mind, he was going into these negotiations with an open mind and so was the rest of the medical staff.

Commissioner Smith remarked his only concern was to keep the citizens of Bulloch County and surrounding counties as primary objectives in this process.

Commissioner Hodges said this is what he had heard at the last meeting with Peat Marwick, special interest was discussed at that meeting and he thought Dr. White was honest in his statement that he wasn't doing this just for his interest. Commissioner Hodges added he knew doctors had to look out for themselves but he thought they were interested in health care in general for Bulloch County.

Chairman Anderson commented he agreed with Commissioner Hodges, the group seemed to jell and come out of the meeting with one common goal.

Commissioner Alston said this is not a time for anyone to be critical of the doctors, not a time for anyone to be critical of the Authority, both groups need to be thanked individually for where they have brought the process from. He added the need it to look at where health care delivery is and what is required for the future. He said it's been suggested to build tomorrow, but he thought this was much more than bricks and mortar, it's a hospital staff, a team of doctors that will participate and delivery the health care for citizens of this county for the future.

Chairman Anderson called for action on the motion. Motion to pass Joint Resolution of the Hospital Authority of Bulloch County, the Bulloch Memorial Hospital Medical Staff and the Bulloch County Board of Commissioners with the County Attorney to be involved with drafting of necessary documents was unanimously carried. See exhibit #1994-31.

Chairman Anderson presented a Resolution supporting the Negotiating Committee's efforts to identify a Purchaser or Leasee for Bulloch Memorial Hospital based on certain conditions.

Commissioner Hodges read the Resolution and offered a motion to approve the resolution. Commissioner Alston seconded the motion.

In discussion Commissioner Lee asked if this was the logical place to insert something in regards to indigent care being addressed to Commissioners' satisfaction.

Commissioner Smith asked the purpose of this Resolution, have the Joint Resolution, this Resolution somewhat limited Commissioners' future action.

Chairman Anderson responded there was some question of what the Commissioners would approve, suppose there was a three-three split, this Resolution said the Commissioners would sign the lease only if a majority of the Negotiating Committee agree.

Commissioner Hodges reference Commissioner Lee's question on indigent care and asked if that should be part of negotiation process. Chairman Anderson said he thought it could covered with bid package.

Mr. Franklin suggested adding wording to this Resolution making is subject to terms and conditions of Joint Resolution, then it's subject to condition that Commissioners have some input into the bid package specifically as it relates to indigent care.

Commissioner Smith said this second Resolution is somewhat more of a problem than the first, it addresses up front, before any results of the Committee, what the Commissioners will or will not support to some extent. He said he thought it was binding future actions of the Commissioners by a legal document if things do not go as they should.

Chairman Anderson said this Resolution was devised to give the Commissioners some guidelines to react to recommendations coming from Negotiating Committee. He added it was something he thought the Commissioners would want, the intent was to send a message that the Commissioner would transfer a lease only upon recommendation from a majority of the Negotiating Committee.

Commissioner Smith said he hoped it didn't happen, but what if there is a stalemate, will Commissioners be bound not to do anything, he would hate to be bound to the fact that Commissioners couldn't do anything unless four of the six members vote one way.

Commissioner Simmons said he agreed with Commissioner Smith, in the past doctors and Authority have had disagreements and look how long it has taken to get to this point.

Mr. Franklin said a Resolution is just that, a subsequent Resolution can change the Board's position on the issue, a Resolution passed today can be rescinded by a Resolution passed tomorrow. He added this Resolution states an intent but it's not like a contract and if the Board changed its position at any point in time because of other factors or other considerations, it would have the power to do that.

Chairman Anderson called on action on motion. Motion to pass Resolution to support the Negotiating Committee efforts to identify a Purchaser or Lessee for Bulloch Memorial Hospital based on certain conditions was unanimously carried. See exhibit #1994-32

Mr. Bird expressed the Hospital Authority's appreciation for the Board's indulgence and commitment to health care in Bulloch County.

Mr. Tucker also thanked the Commissioners for a "fine" job.

Chairman Anderson asked for other old business. The first item of new business was a Resolution to freeze the ACCG Defined Benefit Plan and transfer administration of the Plan to Massachusetts Mutual. Chairman Anderson asked Ken Jones, Staff Attorney, to present this item.

Mr. Jones explained the Employee Benefit Committee has evaluated the present Plan over the past year, one problem with this Plan is receipt of bill at end of each year from current administrator based on projections into the future and there is no way to accurately calculate projections from year to year. Another problem is this Plan only covers a small number of employees who elect to be a part of the Plan, the Committee felt a comprehensive plan could cover all employees, under a different plan, a Defined Contribution Plan, based on the gross county payroll with an annual contribution based on a percentage of payroll. Mr. Jones also explained that most Defined Benefit Plans are under funded and the under funding of the current Plan under the ACCG and their administrator is growing at an alarming rate. In soliciting proposals from other companies, Mass Mutual presented a better Defined Contribution Plan plus they will administer the frozen Defined Benefit Plan, working to try to reduce the under funding figure and get a more guaranteed rate of return.

Commissioner Hodges said he had understood the Plan would be frozen but wouldn't be moved, money wouldn't be transferred. Mr. Jones explained that issue has been resolved and figures were being calculated to move money to Mass Mutual for their administration of the frozen Plan.

Chairman Anderson said he had asked the Mr. Wood to make sure the employees understood and approved this change before presenting to the Commissioners.

Commissioner Smith said, basically, the Plan was being changed to from Benefit Plan where employee would basically know what the retirement would be subject to changes during employment to a Defined Contribution Plan where both the county and employee would make contributions with pension at the end being variable depending on many factors.

Mr. Jones said it could be variable depending on factors, however, Mass Mutual has a very good track record and it serves a service to the County in

knowing at budget time how much the county can or cannot put into the Plan.

Commissioner Smith asked if all the employees were aware there is some greater risk involved. It was explained all employees in the present Plan were advised of a meeting, actually two meetings, to explain what was being proposed and about 75% of employees in the Plan did attend at least one of the meetings, there are only 35 employees in the present Plan. These employees were told the Plan they now have will be frozen and will still be there. The new Plan will cover all employees, approximately 100 employees who have not had any retirement will now have something and the 35 employees will retain retirement they now have plus be in the new Plan.

Commissioner Smith offered a motion to pass Resolution to freeze ACGG Defined Benefit Plan and move administration of the Defined Benefit Plan to Massachusetts Mutual. Commissioner Alston seconded the motion and it carried. See exhibit #1994-33.

Chairman Anderson said a three member Defined Contribution Pension Plan Trust Committee had been recommended and present a Resolution to establish this Committee.

Commissioner Alston asked if this Committee was limited to three members, it was his thought to appoint four with a Commissioner being on the Trust Committee and any three of the four act on any official business.

Commissioner Alston offered a motion to approve the Resolution establishing the Defined Contribution Pension Plan Trustee Committee with the County Manager, County Clerk, Staff Attorney and a Commissioner appointed by the Chairman to serve on the Committee with three of the four required to act on any official business. Commissioner Hodges seconded the motion and it carried. See exhibit #1994-34.

Chairman Anderson referenced his memo dated December 16, 1994 which advised of an expiring term on the Board of Tax Assessors and gave the name of a person who is willing to serve.

Commissioner Smith made a motion to appoint Mr. Raymond Waters to fill the vacancy on the Board of Tax Assessors. Commissioner Simmons seconded the motion and it carried.

Chairman Anderson referenced a memo from Mr. Wood with bid results and recommendation for purchase of wheel loader for the proposed transfer station. He explained this equipment wouldn't be ordered until completion date of transfer station is established and it will take 120-180 days to get this equipment.

Commissioner Hodges offered a motion to approved purchase of Caterpillar Wheel Loader, Model 938F, from Carlton Company at bid price of \$113,302. Commissioner Simmons seconded the motion and it carried.

Next item was Beer and Wine License Applications. Upon motion by Commissioner Simmons, seconded by Commissioner Smith and carried, the following Beer and Wine Applications were approved:

- Beer and Wine License - New
 - David Dennis Mincey - David's Corner, off-premise
- Beer and Wine License renewals
 - James Marvin Brown - 301 Grocery, Inc, off-premises
 - Marsha Monkiewicz - Leefield Grocery, off-premises
 - Andrew Pittman, Sr. - Southern Links G.C., on-premises

Chairman Anderson asked for other new business. He said representatives of Victim Witness Assistance Program had requested to be on the agenda and called on them for their presentation.

Ms. Linda Smallwood, President of Citizens Against Violence, said that in October of 1988 the Commissioners supported the establishment of Victim Witness

Assistance Program. She said a decision made this year by Governor Miller established a Domestic Violent Task Force for each Judicial Circuit and this Task Force saw a need for shelter in this area. She advised a shelter has been secured on Vista Circle and has been refurbished with local contributions but funds are now needed to operate the shelter. She remarked they would like the Coommissioners to visit the shelter and in order to go to other counties in the Judicial Circuit for assistance, they need a commitment of support from the County and City. She said domestic violence is real in Bulloch County.

Chairman Anderson commented he has visited the shelter and it does have potential. He said he had asked the County Manager to meet with representatives of Victim Witness to identify the needs and amount of money needed and where funds should come from and then give Commissioners something for their consideration.

Chairman Anderson advised Tax Commissioner James Deal was out of town for training and had asked on be on a later agenda.

Chairman Anderson asked for other business. Commissioner Alston gave an update on Ponderosa Road, saying one of the property owners had previously agreed to trade out some property and sign a right-of-way deed provided an agreement was obtained from Johnson Grove Church. Commissioner Alston presented a letter from Johnson Grove Church signed by the Pastor and the Chairman of the Deacons agreeing to give easement needed to pave Ponderosa Road. He asked a copy of this letter be given to Warden Akins so paving process for this road could continue.

Chairman Anderson commented all right-of-way for Ponderosa Road has not be obtained, have right-of-way on each end but don't have it for middle section. He said there are two churches on this road, one on one end and one in the middle and hopefully D.O.T. can be persuaded to participate, if don't obtain right-of-way for middle section, there will be two paved roads with a dirt road in the middle. He said this didn't make sense, but may be what has to be done to get roads paved to churches.

Commissioner Alston advised Mr. Tatum had been in contact with the D.O.T. office in Jesup and he had contact the local D.O.T. office and they were working on the road design.

Chairman Anderson said before closing the meeting he would like to make the appointment to the Defined Contribution Pension Plan Trustee Committee and asked Commissioner Lee to serve on this Committee.

Chairman Anderson asked for other business. Upon motion by Commissioner Hodges, seconded by Commissioner Lee and carried, the meeting was adjourned subject to call.

Evelyn H. Wilson
ATTEST

E. Raybon Anderson
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