

January 3, 1995  
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 Lee gave the invocation.

Minutes of regular meeting on December 20, 1994 were reviewed. Upon motion by Commissioner Simmons, seconded by Commissioner Lee and carried, minutes of this meeting were approved as distributed.

Chairman Anderson announced a special resolution to recognize a retired employee would be handled before the business meeting. He referenced resolution prepared for Ms. Mary M. Bray, Chief Registrar, who retired on December 31, 1994.

Commissioner Alston offered a motion to adopt resolution recognizing Ms. Bray. Commissioner Beacham seconded the motion and it carried. See exhibit 1995-1.

Ms. Bray was asked to come forward and resolution outlining her thirteen and one-half years of dedicated service was read, Chairman Anderson then executed and presented the resolution.

Commissioners and audience applauded Ms. Bray. Chairman Anderson remarked this was a small token for many, many, years service and she would be missed. He asked if she had comments.

Ms. Bray thanked the Board for this recognition and said there was one thing she had hoped would happen, she had hoped to occupy new quarters for Voter Registrar's Office, but that's has outlasted her. She said, seriously, she thought it was time for her to moved on, but she would miss her association with the county.

Chairman Anderson said for old business. There was no old business and he asked Mr. Wood to presented the first item of new business, bids and recommendation for paving for Briggs and Stratton.

Mr. Wood referenced memo from County Engineer Kirk Tatum which gave contractors who were contacted and bids received. Bids were; Ellis Wood Contracting - \$570,153.50; Reeves Construction - \$609,585.75; Shuman Construction - 642,834.75; Littlefield Construction - \$594,971. Mr. Tatum's memo recommended bid go to Ellis Wood Contracting.

Commissioner Hodges offered a motion to accept bid of \$570,153.50 from Ellis Wood Contracting for paving for Briggs and Stratton. Commissioner Alston seconded the motion. In discussion Mr. Wood explained the Development Authority was subsidizing the difference between the bid amount and the amount the State contributed to this project, about a \$69,000 difference. He assured contract wouldn't be let until this was verified in writing by the Development Authority. Motion to accept bid of \$570,153.50 from Ellis Wood Contracting carried.

Next item, Resolution for Commissioners' participation in the Defined Contribution Pension Plan was presented. Commissioner Alston offered a motion to approve this Resolution. Commissioner Smith seconded the motion. In discussion Commissioner Lee verified this resolution allowed Commissioners' participation in the new Pension Plan placed with Mass Mutual and asked if Commissioners could participate in the previous ACCG plan. Mr. Wood advised yes, the Commissioners could participate in the ACCG plan but it was not the

same arrangement and few Commissioner chose to participate. Motion to approve Resolution to include Commissioners in Defined Contribution Pension Plan carried. See exhibit #1995-2.

Chairman Anderson said the agenda included three Beer and Wine License Application but two renewals, approved by Sheriff Akins, had been received after agenda was completed. He asked if Commissioners wanted to handle all five.

Commissioner Hodges verified all applications were approved by Sheriff Akins and offered a motion to approve the five applications. Commissioner Alston seconded the motion and it carried. Beer and Wine Applications approved:

New Application

Jimmy Eason - Time Saver #77, off-premise

Renewal Application

Joe I. Anderson - Po-Jo's Gas & Go, off-premise

Michael R. Hatten - H-s Foodmart, off-premise

Tammy Anderson - Anderson Grocery, off-premise

V.E. Creasy - Moose Lodge, on/off-premise

Chairman Anderson recognized Mr. Larry Roberts who had made a request to address the Commissioners.

Mr. Roberts was accompanied by approximately fifteen residents from southeast part of county and said their reason for being present was to give public notice that change in use laws were not being adhere to in the county. He said when have change in use of property it goes from Soil and Water Conservation's jurisdiction to the Corp of Engineers' jurisdiction. He commented there was property all over the county where people were filing for subdivision permits with Planning Commission but never filed with the Corp. He said there were some plans at Planning Commission level now with letters from the Corp in the files.

Commissioner Hodges asked if any piece of property going before the Planning Commission has to be approved by Corp before it could be approved by the Planning Commission. Mr. Roberts said yes that was correct. Commissioner Hodges repeated it had to be approved by Corp before Planning Commission can approve it. Mr. Roberts repeated yes. Commissioner Hodges asked if this was a State Law.

Chairman Anderson said, certainly, the Commissioners wanted everything done according to the law and asked Mr. Jimmy Dodgen, Building Inspector, to comment.

Mr. Dodgen said he wasn't sure how law read on this, as far as it being approved by Corp before it goes to Planning Commission, he didn't know if it was a law or not. He said sketch plans were filed with Planning Commission for the two subdivisions causing the controversy, the Meeks property, and he didn't think that would require Corp approval at the sketch plan stage. He explained when it was presented for preliminary approval, he thought, would be time for Corp approval. He remarked the reason there were letter in the file from the Corp on the property was because he had notified the Corp and asked them to do some research to see if wetlands were involved. He said the Corp did do a site inspection upon his require and did write letters to the parties involved and sent copies to him which are in the file.

Mr. Dodgen explained a sketch plan could be a simple free hand drawing, it was just to get a concept approved, it doesn't give right to do any site preparation, road building, land clearing. Someone asked about surveying. Mr. Dodgen said surveying could be done at any time.

Commissioner Hodges asked Mr. Roberts were they saying Corp of Engineers'

approval was needed before any surveying was done. Mr. Roberts said yes. Commissioner Hodges said surveying of property didn't require notice to the Corp. Mr. Roberts responded if intent was to change the use, Corp's approval was required.

Commissioner Smith commented Corp of Engineers become involved when wetlands or certain level of streams become involved, just any change doesn't necessary involve Corp of Engineers. He said the Board was certainly sympathetic with situation these residents were facing and the Board did want to make sure regulations were followed, but to make blanket statement that every intent for any sort of land change, he thought, was beyond the scope of the Corp of Engineers. Commissioner Hodges added, especially, if no wetlands, streams or ponds are on the property.

Mr. Roberts said he got his information from the Corp, their interpretation was change in use of land from agricultural or timberland to subdivision required the Corp's approval.

Mr. Dodgen remarked that he was told the property boundaries were being surveyed so soil analysis could be done to make application to the Corp. He said there was about 800 acres in the total tract but development plan is for about 400 acres, that's the part being surveyed so soil analysis could be done for the Corp. Mr. Dodgen remarked the minutes of the Planning and Zoning Commission meeting stated the project was tabled until Corp of Engineers' approval is obtained. He added they had been put on notice by the Corp at his request.

Mr. Roberts asked Mr. Dodgen if he was aware of open septic tanks running into ditches. Mr. Dodgen said no, but if anyone would report any septic tank violations to the Health Department or to his department, they would be followed up and corrected. He added his department and the Health Department have a limited number of people and they need and welcome citizens reporting these type of things.

Chairman Anderson asked Mr. Glynn Bray, who was present, to contact Mr. Roberts concerning these violations and said, hopefully, immediate action could be taken. He added any violations which has been reported in the last two years have been investigated.

Someone in group commented that he thought Zoning Ordinances could be enacted retroactively, he thought this was done in another county.

Commissioner Beacham said Commissioners are now trying to get developers to comply, but he didn't think Board could go back. Commissioner Smith said Board considered having a moratorium on development but Zoning laws have certain time requirement for hearings and Zoning was enacted as quickly as possible. He said when Board asked if a three month stop could be placed on development, legal counsel said absolutely not.

Someone asked if environmental study had been done on this development and what effective it would have.

Commissioner Lee asked what steps have to be completed before this property is developed. Mr. Dodgen said a sketch plan has been submitted, their project is outside the Zoning Ordinance but inside the Subdivision Ordinance. The next step is a preliminary plan and that required Corp of Engineers' approval, topographical sketch, Health Department approval, road profile, drainage, land disturbing permit, this is stage when development really starts.

Commissioner Smith asked if there was presently any requirement of an

environmental study by any agency or the county. Mr. Dodgen said the county has never asked for one.

Mr. Roberts said this comes under the Soil Erosion and Sedimentation Act. Mr. Dodgen said the land disturbing permit is the soil erosion and sedimentation, but he didn't think that's the same as an environmental study. He said land disturbing applications pass through his office to Soil and Water Conservation who review the application and approves or disapproves the permit.

Commissioner Smith asked if there was a size of development which should require an environmental study, a ten lot development compared to a five hundred lot development is quite a difference. Mr. Dodgen said he didn't know if there any law which requires this now, if it's not a state or federal law, might be something the Commissioners would want to enact, require an environmental study when development reaches a certain size.

Chairman Anderson asked Mr. Jones, Staff Attorney, where he was in his investigation of this project. Mr. Jones said Mr. Roberts had presented this information to him on Friday of last week and he had just started his research.

Chairman Anderson asked Mr. Jones to address these issues, whether federal, state, county regulated and report to Board, and if an Ordinance is not sufficient, perhaps it should be changed.

Mr. Jones said he thought the Ordinance was probably sufficient, a lot of the lots approved at the sketch plan stage will probably be weeded out by state and federal regulations.

Chairman Anderson questioned if the county has to ask the Corp for a wetlands study, is it optional, whose is responsible to see that it's done, it's not clear.

Commissioner Smith commented he thought some of the concerns being addressed were approved prior to Zoning and the question is, are there some further studies that can be required which will disqualify the project completely.

Commissioner Lee asked at what point does this come before the Commissioners to be approved or disapproved or will it. Chairman Anderson said it would come to Commissioners under appeal. Commissioner Beacham added it can only be disapproved if it breaks a law, can't disapprove just because it's not liked, can't just do that.

Someone asked a question about filing an injunction to stop the development until study can be done. There was some discussion on injunction concept.

Chairman Anderson asked Mr. Jones was how long his research would take before he could report to the Board as well as the Planning Commission. He said he thought Mr. Jones could find the answers to these concerns.

Mr. Roberts said he understood an acre of land had been deeded to county for recycling station at Onley and this land was very low, why accept property which would take three feet of dirt.

Chairman Anderson said land has been deeded but no plans have approved to build the compactor site and if it is built, it will be done right, whatever is done will be right. He said the compactor sites have all be done right, they are operated right and they are working, the recycling program for Bulloch County is working.

Mr. Roberts thanked the Board for their attention to these concerns.

Chairman Anderson the Board had their interest in mind and would work with them as much as possible while also abiding by law.

Chairman Anderson said there was one other item for discussion which had been introduced at a meeting in December, the Airport Committee is requesting \$60,000 in order to apply for grant for Airport improvement. He asked Mr. Wood to explain this request.

Mr. Wood said the FAA has indicated the airport will probably qualify for a million dollar grant for overlaying the runway, this will require \$60,000 from local funds. He advised the city has already agreed to split this amount fifty-fifty, they have approved \$30,000 and to qualify for the grant the county needs to agree to match the \$30,000.

Commissioner Smith offered a motion to match \$30,000 with the city for airport grant. Commissioner Beacham seconded the motion. In discussion Commissioner Alston asked source of these funds. Mr. Wood said he thought this probably wouldn't be expended until the next fiscal year. He explained if it is expended this year there are reserves in tippage fees, tippage fees were appropriated to be increased in August but have not yet increased, these funds could be made available if needed. Motion to match \$30,000 with city for airport grant carried.

Chairman Anderson asked for other business or comments. He advised an Executive Session was needed to discuss a legal matter. Commissioner Hodges added he would also like to discuss land acquisition.

Upon motion by Commissioner Alston, seconded by Commissioner Lee and carried, meeting was moved into Executive Session for discussion of legal matter and land acquisition.

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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.

  
ATTEST

  
E. Raybon Anderson

January 17, 1995  
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 14 visitors. Commissioner Smith gave the invocation.

Minutes of the regular meeting on January 3, 1995 and minutes of Executive Session on January 3, 1995 were reviewed. Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, minutes of these two meetings were approved as distributed.

Chairman Anderson deviated from the agenda to allow Mr. Bob Smith to present information on E.P.D. grants.

Mr. Smith advised that Bulloch County and Keep America Beautiful had applied and had been awarded a scrap tire grant which has been broaden to include solid waste, education and enforcement of solid waste regulations. He explained this grant was a three year grant with a maximum of \$50,000 and

Bulloch County applied for \$26,249 in the first year. He added this is a sharing grant and Bulloch County's share the first year would be 25%, the second year would be 50% and the third year would be 75%. He said the county's first year share would come from the unused tippage fee funds in the present budget, the second year and third year share would be requested in the budget process. He remarked this grant would be used for additional enforcement, court cost, legal cost, computer hardware, education, advertisement, public service announcement.

Mr. Smith explained the Keep America Beautiful grant was a separate, one year grant for \$25,000 and was a 25% match by Keep America Beautiful. He added the eleven counties involved in the regional effort have committed a per capita portion to fund this 25% match. He remarked this is an education grant for recycling.

Chairman Anderson commended Mr. Smith and his staff for their work and efforts in getting these grants approved.

Contract for State Grant #STG-95-02 to Bulloch County and contract for State Grant #STG-95-02 to SEGKAB were accepted. See exhibits #1995-3 & 1995-4

Chairman Anderson presented a resolution recognizing the Zoning Advisory Committee. He said the Board felt it was important to take time to formally recognize this entire Committee for the long hard task of bring Zoning to Bulloch County. He added the Board wanted to go on record saying thank you to all Committee members.

Commissioner Alston offered motion to adopt resolution recognizing Zoning Advisory Committee for the tremendous task of preparing and presenting Zoning Ordinance. Commissioner Smith seconded the motion and it carried. See exhibit #1995-5

Several members of the Committee were present and Chairman Anderson asked Co-chairmen Ricky Nessmith and Garrett Nevil if they would like to make a comment.

Mr. Nessmith said the Committee appreciated the support of the Board of Commissioners and, moreover, appreciated the support from the citizens of Bulloch County. He comment everyone couldn't be pleased with everything that was done but he thought a good plan in place which would be changed as time goes on but there was a foundation to build on.

Chairman Anderson asked for any old business. Moving into new business Chairman Anderson remarked the rezoning applications for Tommy & Cheryl N. Spence and John and Marsha Monkiewicz and the conditional use permit for Evelyn Vause and Charlie Bland would be handled at the next meeting. He explained there was a time requirement for advertising before Board could consider these matters.

The next item was an Application for an on-premise Beer and Wine License for Cheryl D. Hickok for Ellis Bar & Grill located on Highway 301 South.

Commissioner Hodges asked if this application met Zoning requirements. Staff Attorney Ken Jones reviewed the Zoning Ordinance and said this property was zoned commerical and met zoning requirements.

Upon motion by Commissioner Beacham, seconded by Commissioner Alston and carried, on-premise Beer & Wine for Cheryl D. Hickok for Ellis Bar & Grill was approved.

An application for renewal for off-premise Beer and Wine License for Glenn Womack of Glenn's Mart was presented. Upon motion by Commissioner Hodges, seconded by Commissioner Lee and carried, this Beer & Wine License renewal was approved.

The next item was a road variance for Mr. Thomas Knight. Chairman Anderson asked Mr. Jimmy Dodgen to present information on this item.

Mr. Dodgen gave location of property which is on Old River Road and said Mr. Knight presented a sketch plan to the Planning Commission prior to Zoning and had a subdivision approved for approximately 200 lots of 3/4 acres each. He said since presenting the sketch plan Mr. Knight has changed his plans to divide the property into 14 lots with strong restrictive covenants. Mr. Dodgen said the Ordinance requires streets to be paved if subdivision has more than 5 lots even if it's private. He said Mr. Knight was requesting this private road to be a dirt road. Mr. Dodgen reviewed restrictive covenants and said Planning Commission approved this variance.

Commissioner Smith asked if this variance is approved would these restrictive covenants would be binding without any chance for further change.

Mr. Dodgen said yes, that was correct, covenants would have to be recorded in Clerk of Court's Office and if he wanted to make a change, he would have to come back to Planning Commission because covenants were a part of his request.

Commissioner Lee asked how long was the road. Mr. Knight said it was less than two miles.

Commissioner Hodges asked if deeds would include statement that road would be a private dirt road and not maintained by the county. Mr. Dodgen said this is covered by item 26 of the covenants.

Commissioner Smith offered a motion to approve variance to allow dirt road with acknowledge that this road cannot be accept by the county until it is brought up to county standards. Commissioner Simmons seconded the motion.

In discussion Commissioner Alston asked if there was a standard enforced by the county for building a dirt road. Mr. Dodgen said this private road, even though it remains a dirt road, will have to be approved by the Engineering Department. Commissioner Hodges commented this road needs to allow access for public safety vehicles.

Commissioner Smith amended his motion to approve variance to allow dirt road with acknowledge that road cannot be accepted by the county until it is brought up to county standards and requires approval by the Engineering Department and Public Safety Department. Commissioner Simmons seconded the amended motion and it carried.

Chairman Anderson said the next regular Board meeting was scheduled for Tuesday, February 7th and needs to be rescheduled because of a conflicting meeting. After some discussion the next meeting was rescheduled for Monday, February 6th at 8:30 A.M.

Chairman Anderson recognized the County Engineer and Warden and asked for their comments on road conditions. General road problems were discussed. Mr. Tatum discussed problem with ditch on Ivenhoe Junction Road and possible solutions.

Commissioner Lee referenced discussion of concerns of property development in the last meeting and asked for results of Mr. Jones's research and what options the Board has, if any. What options does the Board have, can an environmental impact study be required before allow any development in this area.

Mr. Jones advised the subdivision regulations does have provisions for environmental impact type studies to be done, Corp of Engineer permit has to be provided any time wetlands are involved. He added, if there is a question, can always raise that issue.

Commissioner Lee said he thought enough concerns were raised to at least warrant some discussion of whether to require more study, require developer to furnish some type environmental impact statement before allow any development to get started.

Commissioner Hodges asked stage of this development. Mr. Dodgen said at this point there was really no development, all that has been presented is a sketch plan and it was at a standstill because developer has been put on notice that they must get Corp of Engineers' approval before county will even consider.

Commissioner Smith commented he thought Corp of Engineer permit and environmental study should be on a case by case basis because they were not feasible for all development.

Commissioner Lee said he agreed, but he thought this was a case where one might need to be required.

There was some discussion on wetlands and other requirements. Chairman Anderson said he thought the message to be sent to Mr. Dodgen's office and the Zoning Board was to review wetlands very closely.

Mr. Nessmith commented the county has a Comprehensive Land Use Plan which is looked at every time the Zoning Committee meets. He said they have standards to use and if any project impacts infrastructure, public safety, as well as environmental impact, they have the right to ask questions and get more thorough background information. He added they also have the right to deny or approve based on that same principle, there is a mechanism in place in Bulloch County through the Comprehensive Land Use Plan.

Chairman Anderson asked for other business. He advised an Executive Session was needed to discuss a legal matter. Commissioner Lee added he would like to discuss property acquisition.

Upon motion by Commissioner Hodges, seconded by Commissioner Simmons and carried, regular meeting was adjourned and moved into Executive Session to discuss pending legal matter and acquisition of property.

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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

February 6, 1995  
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 and Commissioner Lee present. Commissioner Smith was absent.

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

Minutes of the regular meeting on January 17, 1995 and minutes of Executive Session on January 17, 1995 were reviewed. Upon motion by Commissioner Simmons, seconded by Commissioner Hodges and carried, minutes of these two meetings were approved as presented.

The first item of old business was rezoning applications for Tommy and

Cheryl N. Spence and John and Marsha Monkiewiez. Chairman Anderson advised if there was anyone present to speak for or against these rezonings, they should see Ms. Susan Hill to get on the docket.

Chairman Anderson asked Mr. Jimmy Dodgen to brief the Board on rezoning application for Tommy and Cheryl Spence. Mr. Dodgen explained property requested to be rezoned was on Highway 80 just outside Brooklet, this property was presently Ag-5 and request was to rezone to Highway Commercial. He added the purpose of the rezone to allow an automobile sales business. Mr. Dodgen said all advertising and posting requirements had been met. He said there had been one call with concern that this could become a junk yard but Mr. & Mrs. Spence has assured that this will not happen. He advised the Planning and Zoning Committee recommended approval of this application.

Commissioner Simmons offered to accept the recommendation of the Planning and Zoning Committee and approved this rezone application. Commissioner Beacham seconded the motion and it carried.

Commissioner Beacham remarked he noticed this property was listed as commercial property by realtors' multi-list of property and he thought it would be appropriate to send notice to officially notify realtors that Zoning is in place and the importance of proper listing of property.

Chairman Anderson asked Mr. Dodgen to present rezone application for John and Marsha Monkiewiez. Mr. Dodgen said the Monkiewiezs presently own and operate a store in Leefield and are considering building a new store. He explained this property was at the four-way stop in Leefield and was presently zoned R-15, their request is to change this property to Highway Commercial. He said advertising and posting requirements have been met. He advised one call objecting to rezone was received and added he had heard a church in Leefield was planning to present a petition, but no petition has been received. He commented the distance from the church to this property has been checked and it was in legal distance to sell beer and wine if they choose to do so.

Chairman Anderson remarked there have been calls both for and against this rezoning. He asked if anyone was present to represent the Leefield church or if anyone was present to speak for or against this rezone application. He said the most concerns have been what happens to the old building if the new store is built, they are afraid the building will be abandoned and deteriorate.

Ms. Monkiewiez said they have been approached by a party who asked about using the old building for an antique business and assured that building would not be left to deteriorate.

Commissioner Hodges offered a motion to approved rezone application for John and Marsha Monkiewiez. Commissioner Beacham seconded the motion and it carried.

The next item of old business was a conditional use permit for Evelyn Vause and Charlie Bland.

Commissioner Beacham said in his opinion this request was sufficiently explained and offered a motion to approved the conditional use permit. Commissioner Hodges seconded the motion. In discussion Commissioner Lee asked if this was required to be posted. Mr. Dodgen said no, conditional use doesn't require posting of property. Motion to approve conditional use for property on Lakeview Road for Evelyn Vause and Charlie Bland was carried.

Chairman Anderson asked for other old business. The first item of new business was abandonment of property for realignment of county road #461.

Chairman Anderson asked Mr. Kirk Tatum to explain what this required. Mr. Tatum presented sketch showing location of present road and new alignment and said extension of runway at airport made moving this road necessary. He explained original plan was to have a 90 degree turn with a stop sign but these have been eliminated because of safety and replaced by three curves as shown on the sketch. He added necessary right-of-way has been acquired to build the new road. He said since county no longer has use for old road the was Board was being asked to consider abandoning this property and deed it to adjacent property owners, Wayne Statham and Ed Anderson.

Chairman Anderson said abandonment of the old road had been part of negotiations with the adjacent property owners in acquiring right-of-way to move road.

Commissioner Hodges offered a motion to accept Mr. Tatum sketch and approve abandonment of old road to be deeded to adjacent property owners. Commissioner Alston seconded the motion and it carried.

Chairman Anderson presented the next item, a resolution to designate 1995 as "Year of the Grandparent". Upon motion by Commissioner Hodges, seconded by Commissioner Simmons and carried, resolution designation 1995 as "Year of the Grandparent" was approved. See exhibit #1995-6.

Chairman Anderson asked Mr. Ted Wynn to present the next item, resolution for EMA assistance. Mr. Wynn explained that FEMA and GEMA were in the process of finalizing the county's application for financial assistance related to floods in October and have asked for formal resolution accepting these funds.

Commissioner Beacham offered a motion to approve this resolution. Commissioner Alston seconded the motion. In discussion Mr. Wood asked amount of funds expected. Mr. Wynn advised approximately \$250,000 is anticipated, it will not all be received at once but anticipated \$120,000 to \$150,000 soon. Motion to approve resolution accepting EMA funds carried. See exhibit #1995-7.

Chairman Anderson presented a request for contribution from Regional Youth Detention Center. He explained this request was received on an annual basis from the RYDC.

Commissioner Beacham offered a motion to contribute \$100 to the Regional Youth Detention Center. Commissioner Alston seconded the motion and it carried.

Chairman Anderson asked Mr. Bob Smith to present the next item, Health Department regulations. Mr. Smith said in past months they have become aware of unapproved septic tanks, no septic tanks, raw sewerage being dumped on ground and other gross violations in the county. He explained the Health Department has regulations required by State Law that when they notify anyone of a septic tank violation they have to give the party thirty days to correct the situation and then if it's not corrected, the party is given another two weeks to correct the violation. He said there was a situation a couple weeks ago where raw sewerage was being dump on the ground which was a definite public health hazard to anyone in the area. He explained the Building Inspection Office, Health Department and his office used the Bulloch County Clean Community Ordinance which has a clause stipulating that hazardous waste is in violation of the Ordinance. He added the raw sewerage was considered hazardous material, a threat to public health and court proceedings were used to correct the situation. He said their request was for Board authorization for the Bulloch County Health Department to accept and use the Bulloch County Clean Community Ordinance as a tool to correct these violations in a more timely manner.

Commissioner Hodges asked if this change should be advertised. Chairman Anderson said this was taken first to Health Department Board which approved it. He asked Mr. Glynn Bray to comment.

Mr. Bray said the regulations the Health Department uses were adopted by the Board of Health some ten years ago but the power of enforcement came from the County Commissioners. He commented the State Attorney General originally dictated the protocol to be used to enforce these regulations and it was an extremely conservative procedure because it does require a long duration of time, about forty-five days. He added he thought the reason for this length of time given by the Attorney General's Office was to make sure there was no chance of being overturned in a higher court for not giving a fair length of time for correction. But, he said in forty-five days thousand of gallons of raw sewerage are being dumped on the ground which was totally unacceptable. He remarked they had checked with District Health Office to questioned if it was possible to go to a shorter time frame and were informed, after District Office investigation, that it was within the Commissioners' powers to make this change. He added this fact has been also been investigated by the Staff who agreed Commissioners did have this power.

Chairman Anderson said he wanted Mr. Bray to comment because there was a lot of controversy about this situation, public health is in danger, the school system is very concerned and he commended Mr. Smith and his staff for their actions.

Commissioner Hodges offered a motion to adopt Code of Ordinance Amendment related to Prohibited Discharge. Commissioner Beacham seconded the motion and it carried. See exhibit #1995-8.

Next item for discussion was road name change for county road #76. Chairman Anderson called on Mr. Ted Wynn for this discussion. Mr. Wynn gave the location of this road, which was named Poplar Spring Church Road by Fire Department when 911 Emergency Service required all roads be named. He advised Mr. Al Clark has submitted a petition signed by six of the seven property owners (86%) abutting the road asking that the section of county road #76 on the left side (eastern portion) of Highway 80 be changed to Clark Farms Road. He commented procedure for road name change has been followed and contact was made with all property owners through certified mail.

Commissioner Beacham commented this created another one of the situations where road is named one name on one side of a landmark and another name on the other side. He asked is this really the thing to do.

Mr. Wynn said he was in favor of a road having one continuous name, however, when going from a major artery like Highway 80, good information to emergency vehicles whether to take a right or left is very important. He added in this particular case with Highway 80 as the major artery different road names on each side is not a significant problem. He commented Commissioner Beacham's comment certainly had merit but he thought some confusion would be cleared up in this particular case. Commissioner Lee offered a motion to approve changing name of portion of county road #76 to Clark Farms Road from left side of Highway 80 to county line. Commissioner Hodges seconded the motion.

In discussion Commissioner Alston questioned the provision with New Hope/Kennedy Bridge Road, this concept came up when attempt was made to name a part of that road New Hope Road. Chairman Anderson remarked the required 80% signatures were never received and there was no major artery as Mr. Wynn has described. Commissioner Alston said he thought citizens in New Hope area

could get required 80% signatures from Highway 46 to Adabelle Road if road can be named in sections. Chairman Anderson said they were told this was an option but they declined that option. There was some discussion if Adabell Road was a major artery. Commissioner Hodges commented petition with required 80% signature between Highway 46 and Adebelle Road could be presented to Commissioners for consideration. Commissioner Beacham said he just didn't like changing road names, even if there is a major artery in between.

Commissioner Hodges ask who paid for cost involved with road name change. Mr. Wynn advised the person requesting the change paid these cost.

Chairman Anderson asked for a vote on the motion, Commissioner Hodges and Commissioner Lee voted in favor of motion, Commissioner Beacham and Commissioner Simmons voted against the motion, Commissioner Alston abstained. With vote ending in tie, two in favor, two against and one abstaining, Chairman Anderson exercise the right to vote and voted in favor of the motion. Motion to change name of portion of county road #76 to Clark Farms Road was carried.

Chairman Anderson presented the next item, Airport Terminal bid results and recommendation and said this item was also on the City Council's agenda today. He commented the bid come in below the estimate with low bid of \$311,200 from John Lavender. He commented funding for this project was included in the multi-purpose sales tax.

Commissioner Hodges offered a motion to accept bid of \$311,200 from John Lavender for construction of Airport Terminal. Commissioner Beacham seconded the motion. In discussion Commissioner Beacham asked what alternates were and if bid would be reduced if go with alternates. Mr. Wood discussed alternates and said Airport Committee reviewed each alternate with architect and felt it would be best to omit the alternates and leave building as originally designed. Motion to accept bid of \$311,200 from John Lavender carried.

Chairman Anderson remarked the Airport Committee was also recommending a new lease for the airport. He said the City Council was also considering this item today.

Commissioner Hodges offered a motion to accept Airport Lease with Diamond Aviation. Commissioner Beacham seconded the motion. In discussion Commissioner Beacham questioned the payment for fuel by Diamond Aviation. Chairman Anderson explained payment for fuel and discussed difference in this lease and previous lease. Motion to accept Airport Lease with Diamond Aviation carried.

Chairman Anderson advised there was a vacancy on the Hospital Authority, Dr. Harrison has submitted his resignation and official notification was received on February 3rd. He said he was contacted by the medical staff, who submitted three names, before the official notice was received. He added the medical staff was advised by letter that the Commissioners would abide by the joint agreement which says the Authority will officially notify the Commissioners of the vacancy and provide a listing of physicians on the Hospital Staff from which the Commissioners will select three nominees. He said this item would be on the agenda for the next meeting.

Chairman Anderson recognized Mr. Bill Akers who had requested to address the Board. Mr. Akers advised the Commissioners of the need to make themselves aware of all the facts involved in the proposed School Bond Referendum, all the facts have not been related to the community. He said he had personally, as a friendly party, presented a means of accomplishing the school building program desired by the School Board while reducing the cost to the taxpayers

by 39 million dollars. He said his proposal was in writing but he had not received a reply but he did have a meeting scheduled for this afternoon with school officials. He said he was using their figures and reviewed what he saw as inadequacies in their proposals. He commented his purpose was to show the Board of Education there were other means for building program. He said the reason this concerns the Commissioners was, if down the road the Board of Education is forced to go to the 20 mil limit with bond on top of that, that puts the taxpayers in a position of where does the Commissioners get the funds to operate the county when taxpayers are doing all they can do. He appealed to the Commissioners to look at the facts, not as Commissioners but as individuals. He thanked the Board for their attention in this matter.

Chairman Anderson asked for other business or comments. Mr. Wayne Franklin asked status of county road #193 on Evans County line. Chairman Anderson asked the County Engineer to respond. Mr. Tatum advised that Commissioner Bell of Evans County called Warden Akins to set a meeting to decide on how to improve the road, he and Warden Akins went to meet Mr. Bell but Mr. Bell never came. He commented he didn't know if there was confusion in time and date but they haven't heard from anyone since that time. He said, basically, the ball was in Evans County's court.

Chairman Anderson asked for other business or comments. He said a short Executive Session was needed to discuss a personnel matter. Commissioner Hodges said there was also a legal matter to be discussed.

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

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 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

February 21, 1995  
 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 seventeen visitors. Commissioner Simmons gave the invocation.

Minutes of the regular meeting on February 6, 1995 and minutes of Executive Session on February 6, 1995 were reviewed. Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, minutes of these two meetings were approved as presented.

Chairman Anderson asked Commissioner Smith to handle the first item of old business, presentation of plans for the proposed Judicial Annex.

Commissioner Smith gave details of Courthouse Feasibility Committee's findings over the past four years and the reasons for their recommendation of the new site for a Judicial Annex in addition to renovations for present Courthouse. He asked Ms. Becky Livingston, chairperson of the Courthouse

Needs Analysis Subcommittee, to present their findings and to introduce the architects' who will present the preliminary design.

Ms. Livingston said first she would like to ask the Commissioners to keep an open mind during this presentations because she thought they would be convinced that what the architects are presenting today is not only what is needed today but what will be needed in the future. She commented that Bulloch County was fortunate to be a growing county and needs are only going to grow also, she believed there would be a third Superior Court Judge in the next two to three years and she believed in a short time there would be a full time State Court Judge and Solicitor. She gave members of the subcommittee and credentials of these members to make decisions and assessments of needs for courthouse. She outlined goals of the subcommittee and said they had taken this task very seriously. She called attention to the proposed jury assembly room and said this was the Courthouse Committee's idea not the architects' and discussed intended use of this jury room as well as use of other undesignated rooms. She remarked the recommendations from the study brought about a list of "needs", not a "wants" list. She again asked the Commissioners to have an open mind, to study plans being presented extensively, take into consideration that they were planning not only for the present but also for the future. She recognized Mr. Bernie Martin, architect with Eckles, Martin and Rule, to present plans.

Mr. Martin commended Ms. Livingston and members of the Courthouse Committee for the work they had put into this project. He thanked the Commissioners for allowing his firm to work on probably the most important public building to be designed. He said a program was developed from the interviews with the users and needs of the users. He remarked the concept of this program was accepted by Commissioners on November 8, 1994 and at that time designs were started for the facility. He introduced consultants, Mr. Larry Phillips and Mr. David Morris, to present drawings for proposed Judicial Annex.

Mr. Phillips reviewed the design of the annex in relation to the existing courthouse and explained how it would sit on the corner of Siebald and Courtland Streets. He gave design for a 30,000 square foot, two story building with about forty parking spaces. He said courthouse design is driven by circulation and gave circulation requirements for this building; public, judges, jurors, detainees, and staff. He illustrated design of circulation of these people without a lot of exposure to each other. He said Mr. Morris would give specifics on floor plan.

Mr. Morris presented detail floor plans and gave specific details for court functions on the second floor with public service areas and office spaces on first level. He showed security measures for entry for detainees as well as security measures for public entry. He showed how the design of the building gave the ability to expand the building based on future needs.

There were some questions and discussion of floor plan. Commissioner Hodges asked which offices in present Courthouse would not be moved to annex. He was told that Probate Judge's office and Voter Registrars' office would remain in present Courthouse.

Commissioner Lee asked cost estimates for new building. Mr. Phillips said construction cost would be in the 3 million to 3.4 million range, this is construction only. He added it's hard to pinpoint cost because they were seeing a lot of inflation in basic building materials in this region.

Commissioner Smith remarked it needs to be remember that this is the

basic phase of design, this is what the architects were commissioned to do and have done. He said now it has to be decided if this is the concept wanted and discuss the budget. He said there was 4 million dollars from the sales tax designated to this project, obviously with this annex and renovating the courthouse, which will also be very expensive, there is not enough designated from these sources. He remarked these numbers were not any preliminary cost estimates but simply a matter dividing a pie in some slices with each project allocated so much money. He commented some projects have been limited to the exact amount allocated, some have not been and said this is something to be addressed, will courthouse be limited to exact amount or can it be financed similar to way jail was financed. He said in the last sales tax referendum he thought the citizens of the county stated they prefer to pay for things through sales tax rather than through ad valorem taxes. He added he thought, with no changes in the law, this type program would probably continue again, there is no guarantee but it has to be considered and this is about the only way to be able to construct this type facility, use the funds allocated now and anticipate some additional revenue from future sales tax.

Commissioner Hodges recapped cost of 3.4 million for this building with another million plus to renovate courthouse. Commissioner Lee asked if renovation of courthouse had been researched. Ms. Livingston responded that architects have made some preliminary suggestions for square footage needed for offices located in  
in the courthouse but designs and cost estimates have not been done.

There was some discussion on revocation of courthouse and cost involved with bringing a building of this age up to standards to meet laws, regulations and mechanic, electrical and building codes. Commissioner Hodges commented on cost of maintaining courthouse once it's renovated, will it have to be remodeled or restored every few years. Commissioner Smith remarked renovation of courthouse needs to done in such a manner to eliminate costly ongoing maintenance as much as possible.

Commissioner Hodges said the Board need a total picture of total cost, because if construction of this building at 3.4 million was approved with another half million to million on furnishings plus million plus to renovate the courthouse, what happens if another sales tax doesn't pass.

Commissioner Beacham commented right now figures were an educated guess, if figures come in on low side, then it would be reasonable close to budget. He said he knew the public wants projects to be held to a budget, from estimates the budget is now about 4 million. He asked if there was anything in the plans which could delayed and phased in later. He didn't see a lot that could be cut off but perhaps some things could be delayed. He agreed with Ms. Livingston, he didn't see anything that goes beyond needs.

Commissioner Hodges said there was no doubt this annex was needed but the question was how more will it cost to get total cost figures and then question will be whether to dg part now to make budget or whether to d ototal completion and try to find a way to fund it.

Chairman Anderson said he thought the motion on the floor from the Committee was they recommended this but also said to try to stay within the budget.

Commissioner Smith remarked the Committee has said they would like Commissioners to consider the budget, but the only budget ever set was two pieces of pie from the two sales tax which is a very loose way of setting a budget.

Committee Beacham asked the next step, was it to ask the Committee to instruct the architects to receive bids.

Commissioner Smith said the Committee has basically done the job they were given, the Committee had a preliminary look at this report and stated they liked what was presented but also stated that they were concerned with the cost. He added the Committee didn't know what options the Commissioners have, the question to be answered is will this project be totally limited to funds from sales tax, does sales tax monies have to cover entire scope of the project. He said it was at a point of either telling the architects that this is not what is wanted or tell them to process which will obligate additional cost.

Commissioner Hodges said he didn't mind moving forward but he wanted to basically stay in the amount allocated, if not, he wanted to know where the funds would come from.

Chairman Anderson commented the funds from sales tax programs was really about 3.7 million which includes architect fees, furnitures and fixtures, and parking haven't been addressed. He said maybe the courthouse could wait until another sales tax referendum but he thought the public was saying at least don't overspend on this phase, stay within the budget which includes architect fees, furniture and fixtures, total completion.

Commissioner Lee asked if sales tax referendum specify building and renovation. Chairman Anderson said yes.

Commissioner Lee said he thought taxpayer would like for Board to take the allocated funds and spend them to the best use, not oblige another administration and the taxpayers by hoping to get another sales tax referendum passed. He said he would like to see building designed that can be afforded now and expanded if another sales tax is passed.

Ms. Livingston asked permission to comment and said building needs to be functional and if build in phases, cost may actually be more than cost to complete at one time. Don't build something just for such of saying we've built a building, something which doesn't work or meets only half the needs.

Commissioner Hodges asked if last sales tax was approved to construct and renovate the present courthouse, was it legal to use sales tax monies to construct annex and not remodel.

Mr. Franklin said yes, wording on the ballot and resolution was considered very carefully and said it could be used for construction and/or renovation. He said at that point in time concept had not developed on which way it would go.

Commissioner Alston commented he didn't know how to get actually cost without going ahead. Mr. Phillips said they could give a little more refined estimate but Commissioner Alston was right, wouldn't know actual cost until go further.

Commissioner Alston asked what cost would be if architects were told to go ahead with design and prepare bid package and then it's very apparent building has to be redesigned to a smaller scale. He was told this would cost \$100,000 to \$120,000.

Commissioner Hodges asked if any action could be tabled until Commissioners could have work session to decide what is needed and amount of money to meet the need. He offered a motion to table action on annex design until the next meeting to allow time for discussion of cost of project and funds available. Commissioner Lee seconded the motion. Motion carried with

Commissioner Alston, Commissioner Simmons, Commissioner Hodges, Commissioner Lee and Commissioner Smith voting in favor of motion and Commissioner Beacham voting to oppose the motion.

There was some discussion on what would change in two weeks. Commissioner Beacham said that was reason he opposed the motion, he thought process should proceed to get some actual cost to deal with. Commissioner Smith said there were only two option, tell them to redraw or go ahead with preliminary design. Commissioner Hodges said he just felt he needed some time to review figures on funds available and think about total project before spending additional money. Commissioner Alston added he wanted some time to rethink renovation of courthouse, whether to anticipate deferring that phase and getting monies from another source, possibly the next sales tax. Commissioner Simmons said the annex is needed now and he wasn't as concerned about renovation of the courthouse as he was about what is needed now. Commissioner Hodges said he thought the Commissioner need to discuss the amount of money they were willing to oblige before voting.

Motion to table action on judicial annex until next meeting remained as carried.

Chairman Anderson presented the next item of old business, Hospital Authority nominations. He said Board had been furnished a list of physicians from which three nominees should be selected to send to the Hospital Authority to fill term of Dr. Gary Harrison who resigned.

Commissioner Hodges offered a motion to submit the names of Dr. John E. Martin, Dr. Gary Loveless and Dr. Randolph Smith. Commissioner Alston seconded the motion and it carried.

Chairman Anderson asked for other old business. First item of new business was a resolution on salaries for the State Court Judge and Solicitor.

Commissioner Hodges said the resolution did not give any amount of the increase. Mr. Wood said the amount was omitted, it was to be decided by the Board.

Commissioner Hodges confirmed base annual salary of \$18,000 for the State Court Judge and base annual salary of \$15,000 for the Solicitor. Chairman Anderson added the Judge receives \$3000 annual supplement for a secretary.

Commissioner Beacham offered a motion to approve the resolution with an annual increase of \$5,000 each to the Judge and Solicitor with supplement to remain in place. Commissioner Simmons seconded the motion and it carried. See exhibit #1995-9.

Chairman Anderson asked Mr. Wood to present the next item, roll-on hoist bid results and recommendation. Mr. Wood referenced memorandum from Mr. Bob Smith showing bid results and his recommendation. Bids received were: Mayo Equipment - \$18,980; Consolidated Equipment - \$18,972; Marathon Equipment - \$21,442; FFI Truck - \$18,395. Mr. Bob's Smith recommendation was to accept the bid of \$18,972 from Consolidated Equipment.

Commissioner Hodges offered a motion to accept bid of Consolidated Equipment as recommended. Commissioner Alston seconded the motion. In discussion Commissioner Lee asked where FFI Truck Equipment, who submitted the lowest bid, was located. Mr. Smith advised this company was in Douglasville, GA but no information could found, good or bad, about this company, no one seemed to know anything about them. He said there was not a distributor in Georgia for the hoist they bid. Motion to accept bid of \$18,972 from Consolidated Equipment carried.

Chairman Anderson referenced memorandum on contract with Green Pastures

for roadside spraying and said it was time to renew this contract.

Commissioner Hodges asked if this was put out on bid. Mr. Wood advised there was no one else who had ever offered to bid. He added price per mile was the same this year as last year.

Commissioner Hodges offered a motion to approved contract with Green Pastures for roadside spraying at 60¢ per mile for two spraying, a third spraying if need. Commissioner Simmons seconded the motion and it carried.

Commissioner Lee asked if mowing versus spraying had been calculated. Chairman Anderson said yes, this was done about three years ago and it was a savings to spray versus mowing.

Commissioner Lee commented everyone wanted more mowing and it would help if he could tell them the amount of savings to spray rather than mow.

Chairman Anderson asked for other business. Commissioner Lee said he would like to discuss the petition for paving of 1.53 miles on Burkhalter Road. He commented Mr. Tatum has advised the petition for the right-of-way has been submitted which has been signed by everyone except one family and Mr. Tatum thinks these signature won't be a problem.

Commissioner Lee offered a motion, while county is already paving a section of Burkhalter Road, to proceed with acquiring right-of-way to pave the loop all the way around to complete the paving of Burkhalter Road. Commissioner Simmons seconded the motion. In discussion Commissioner Beacham asked if state aid can be obtained at this point. Chairman Anderson said that was a problem, in all the negotiation on this road for month and months no one mentioned the loop until work was started. He continued they were told the process, start with priority list and move up, their rebuttal was they were a part of Burkhalter Road, they were left off, and his answer was roads were paved where people ask they be paved and were put on the priority list for state approval. He said he didn't have any problem paving this section but would have to request a survey which could take months, also all the right-of-way has not been obtained and Mr. Tatum was told by citizens to get the survey and then they would decide if they would support the road being paved. He said the county didn't do it this way anymore, keeping a promise made to the State D.O.T. Commissioner. Chairman Anderson said it would have to be a separate project, there was no way to go through the procedure and be ready to pave this section with one already in progress. He said this section was not on the priority and he didn't know how D.O.T. would react it they're told it's a part of Burkhalter Road, but that's the way it needs to be approached, as a extension of paving on Burkhalter Road. Motion to proceed with acquiring right-of-way to pave the 1.53 miles (loop) of Burkhalter Road carried.

Chairman Anderson remarked that citizens from Stuckey Lane, which was similar to Burkhalter Road, e would be at the next meeting to petition their road be paved.

Commissioner Alston said he has had contact with people on Moore Road but he didn't think 100% of people on this road wanted the road paved.

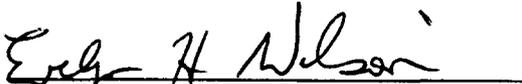
Chairman Anderson said he and Mr. Tatum had met with citizens on Moore Road and it appears right-of-way cannot be obtained all the way through and there has been some discussion of turning onto Womack Road going into Portal.

Chairman Anderson asked for other business or comments. Mr. Wayne Franklin asked status of repairs of Settlement Road. Mr. Anderson advised Mr. Franklin that nothing had happened since his last inquiry. Mr. Tatum added that he had spoken with the County Manager in Evans County this morning and was told they were thinking of starting over again to see if there is still

any interest in keeping the road open. Chairman Anderson remarked that they have been told what Bulloch County will do but they have not agreed to any arrangement.

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

  
E. Raybon Anderson

  
ATTEST

March 7, 1995  
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 Beacham gave the invocation.

Minutes of regular meeting on February 21, 1995 were reviewed. Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, minutes of February 21, 1995 meeting were approved as presented.

Chairman Anderson asked Commissioner Smith to present the first item of old business, Judicial Annex Plans.

Commissioner Smith said since the last meeting the Board had a work session to discuss the cost of the judicial annex, cost of courthouse renovations and money allocated for this project and decided on an agreement they felt would be appropriate for the community. He continued the result of the meeting was that the judicial annex could be built from funds allocated from the sales tax and that \$500,000 would first be set aside for improvements to the old courthouse with remaining funds of approximately \$3,200,000 to be used for judicial annex project. He said the architects indicated they could take the preliminary plans presented and with some alternates stay within this budget.

Commissioner Smith offer a motion to give architects authority to prepare working drawings, the next step in the architectural phase, within parameters set by the Board. Commissioner Beacham seconded the motion. Commissioner Lee said he understood that new construction would be limited to \$3,200,000 and the balance spent on the old courthouse. Commissioner Smith said he understood an absolute \$500,000 would be set aside, not to be spent for any other reason than the old courthouse, with balance \$3,200,000, for judicial annex and hopefully there will be money left to back to the old courthouse. Motion to give architects authority to prepare working drawings for judicial annex carried.

Commissioner Hodges commented on concerns for parking when the annex is completed. Chairman Anderson said this concern would be addressed with a committee structure although everyone needs to understand there is no monies in the sales tax set aside for parking and these monies will have to come from other sources.

Chairman Anderson remarked that he had asked Commissioner Beacham to represent the Commission on a committee to work on the parking situation with Ms. Tina Hendrix and someone from City Council and this committee will report

to the Commissioners and the City Council.

The next item of old business was a resolution for the Restated Defined Benefit Plan and Trust Agreement. Chairman Anderson asked Staff Attorney Ken Jones to discuss this item.

Mr. Jones explained the new administrator, Mass Mutual, has presented the new plan which mirrors the old defined benefit plan and said basically the only difference is who the trustees will be. Trustees will be County Manager, Clerk of the Board, Staff Attorney, and a Commissioner appointed by the Chairman, who at this time is Commissioner Lee. He added the plan has been reviewed by Attorney Dan Taulbee who is satisfied everything has been done to effectuate this transfer and with this resolution naming the trustees and adopting the plan being forwarded to ACCG, transfer of funds should be shortcoming.

Commissioners Hodges offered a motion to approve resolution adopting the Restated Pension Plan and Trust Agreement. Commissioner Alston seconded the motion and it carried. See exhibit #1995-10.

Chairman Anderson asked for other old business. Moving into new business Chairman Anderson said agenda would be rearranged to allow representatives of the African American Coalition to be first since they had another meeting. He recognized this group.

Ms. Enola Mosley said they were charter members of the newly formed AAWC, African American Women Coalition and gave the make up of the Coalition, teachers, engineers, registered nurses, university professor and other concerned citizens. She continued their purpose was to make a change and made a difference in the betterment and well being of children. She said they wanted to reach children in five basic areas, educationally, physically, socially, emotionally and spiritually. She remarked their purpose at this meeting was to ask for financial assistance for their program.

Ms. Cynthia Cone-Dekle explained their coalition was in the process of applying of a one time grant for \$5,000. She further explain in order to receive the grant, because they are a new organization without nonprofit status, they need monies for the grant to flow through, it is a refundable grant, monies are spent first and then reimbursed by the grant. She said their request was the Commissioners consider fronting the \$5,000 and allowing them to use county's nonprofit status. She asked for questions.

Commissioner Simmons said this was a very worthy program and clarified that they weren't asking \$5,000 be given to this project but to put money up front to be reimbursed from the grant. He commented he didn't think they need an answer right now, perhaps by the next Board meeting.

Ms. Dekle injected the deadline for the grant application was March 15th which means they need a commitment by that date.

Commissioner Hodges asked where this program would operate, would it be county wide. Ms. Dekle explained it would start as a very small program with perhaps twelve girls and would be an "in-field" operation, it is a peer to peer program.

Commissioner Lee asked if this was 100% reimbursable, it's not a matching grant. Mr. Dekle said yes, it reimburses whatever is spent.

Commissioner Alston asked if this program is similar to programs at Option Center. Ms. Dekle said not really, the Options program is mandated by the State to provide services for severely emotionally disturbed children, anticipate to work with kids with other problems in this program, another level of service.

Chairman Anderson asked where operational funds would come from in the future once these \$5,000 grant monies are spent.

Ms. Dekle said they hoped other grants will available, this is base program, want to start small and plan to stretch \$5,000 over a year with some personal sacrifice and contribution from members of the committee.

Chairman Anderson asked if money was needed before grant could be applied for, there was no money in this year's budget for this purpose.

Ms. Dekle said a commitment was all that was needed to apply for the grant and grant wouldn't be awarded until June 1st and anticipate program start up date of July 1st.

Commissioner Smith offered a motion to under write the \$5,000 grant for AAWC contingent upon grant being awarded with monies to be disbursed in the next budget year. Commissioner Alston seconded the motion and it carried.

Next item of business was rezoning request for William & Dennis Deloach. Chairman Anderson asked Mr. Jimmy Dodgen to present this item.

Mr. Dodgen said this rezone request was for property on Burkhalter Road, 98 acres which was presently zoned R-80 (single family residential 80,000 square feet) and request was for rezone to R-25 (single family residential 25,000 square feet). He advised the Planning & Zoning Committee recommended approval of the rezone.

Commissioner Beacham asked if there was any opposition to this rezoning request.

Chairman Anderson asked if there was anyone present who opposed this rezoning request.

Mr. Dodgen remarked there were four people who registered an objection via telephone prior to the Planning and Zoning Committee meeting, none were present at the meeting, Dr. Johnson was present at the meeting to ask questions but he didn't oppose the rezone.

Commissioner Beacham offered a motion to approve rezoning request for William and Dennis Deloach. Commissioner Alston seconded the motion. In discussion Commissioner Lee asked if this rezone was subject to streets being paved. Mr. Dodgen explained this was rezone application, development would have to meet all requirements of the Subdivision Ordinance. Motion carried approving rezoning request for William and Dennis Deloach was carried.

Chairman Anderson asked Mr. Dodgen to present next item, rezoning request for Louis N. Woodrum. Mr. Dodgen explained this property was on Woodrum Road which is dirt road off Akins Pond Road which was presently zoned R-40 (single family residential 40,000 square feet) and request was rezone to R-25 (single family residential 25,000 square feet). He said rezone was advertised and property properly posted and when this was presented to the Planning and Zoning Committee the first time there were questions about the right-of-way on Woodrum Road, namely would sixty or eighty foot be needed and could the Woodrum pave their section of Woodrum Road prior to opening the subdivision. He referred a letter from the County Engineer stating a sixty foot right-of-way would be adequate and also a letter from Donald NeSmith and Lamar Reddick agreeing to sell property to the Woodrums for the required sixty foot right-of-way. He remarked this plan does not include paving of entire Woodrum Road, just the section from Akins Pond Road to the last entrance into the subdivision. Mr. Dodgen advised there was one person opposed to the rezone and explained the road in front of this person's property, which is further down Woodrum Road, would not be effected. He advised the Planning and Zoning Committee recommended approval of this rezone

under these conditions.

Commissioner Smith questioned the sixty foot right-of-way opposed to eighty foot required by State and asked what happens in later years if county decides to pave remainder of Woodrum Road, would going from paving on narrower sixty foot right-of-way to paving on eighty foot right-of-way cause a problem.

Mr. Dodgen explained the actual paving would not be narrower than required by the State, just a difference in right-of-way and their paving will have to meet the county's specifications. Mr. Tatum agreed this would not cause any problems in later paving of Woodrum Road.

Commissioner Hodges offered a motion to approve rezoning request for Louis N. Woodrum. Commissioner Lee seconded the motion and it carried.

Chairman Anderson asked Mr. Dodgen to hand the conditional use request for Huston Costlow. Mr. Dodgen explained this property was on Highway 24 directly across from the new recreation department and presently zoned highway commercial which allows multi-family apartments as a conditional use. He said conditional use must be approved by Commissioners and Mr. Costlow is applying for this conditional use permit for Mr. W.C. Roberts who will build five quadruple apartments. Mr. Dodgen said there were no objections to this request and the Planning and Zoning Committee recommended approval.

Commissioner Simmons offered to approve conditional use permit for Huston Costlow. Commissioner Hodges seconded the motion and it carried.

Chairman Anderson commented the next item printed on the agenda had been removed from discussion by Commissioner Alston and would be taken up at later date.

The next item for discussion was camera purchases for Georgia State Patrol. Chairman Anderson asked Commissioner Hodges to comment on this item. Commissioner Hodges said it had been brought to his attention that the Georgia State Patrol were in need of instamatic cameras to enable them to take pictures at wreck scenes, more and more wrecks involve court cases with some cases two or three years after the wreck occurred. He said the request was to purchase ten cameras because of reduction in cost with purchase of ten, nine cameras for the State Patrol and one for county use at a cost of \$129.97 each.

Commissioner Alston asked source of funds to purchase these cameras. There was some discussion of funds coming from law enforcement budget. Mr. Wood said this purchase was not budgeted and the law enforcement budget was running very tight. Chairman Anderson asked if this purchase could be held until new budget year. Commissioner Hodges said he thought purchase could be deferred until then.

Commissioner Lee offered a motion to approve purchase of cameras subject to purchase being deferred to new budget year. Commissioner Smith seconded the motion and it carried.

Chairman Anderson recognized Mr. Linwood McNure to give the Annual Forestry Report. Mr. McNure presented Bulloch County's Forestry Unit Annual Report showing activities for fiscal year 1993-1994. This report included personnel employed at this unit, equipment located at unit, revenues and expenses as well as number and type of fires which occurred during the year. He commented they appreciated everything the county did for the local forestry unit, particularly Warden Akins' help during the construction of their new building. He offered any assistance the county might need, particularly with heavy equipment work. He recognized Mr. Dean Hewitt,

District Forester.

Mr. Hewitt gave activities of Forestry District Office located in Bulloch County and said Bulloch County is in district 10 which is made up of thirteen counties. He remarked current value of standing timber in Bulloch County was 17.8 million dollars which is second in the state for total value and Bulloch County landowners should be proud for growing this amount of timber. He commented that was their job, protect that timber value. He reiterated Mr. McNure's appreciation of assistance received from Bulloch County and also offered any needed assistance to the county.

Chairman Anderson thanked Mr. McNure for this report and said the Commissioners appreciated the job the Forestry does for the timber industry.

Chairman Anderson recognized Ms. Cathy Powell to discuss Stuckey Lane and Stuckey Road. Ms. Powell, accompanied by several others, presented a petition to pave W.C. Hodges Road, Stuckey Road and Stuckey Lane and commented they had 100% of signatures for 80 foot right-of-way. Ms. Powell asked to see the latest priority list for road pavings. She said according to newspaper article there was a problem with six roads on the priority list. Mr. Tatum provided the latest list which was dated July 1994.

Chairman Anderson remarked the Board was updating the priority list, there is no specific time for updating the priority list but it's usually done at least once a year. He reviewed procedure for presenting a petition for 80 feet of right-of-way for road paving and being put on the priority list. He remarked problems usually occur after petition is accepted and road is surveyed and staked and deeds are prepared.

Commissioner Alston added survey for paving does not always follow old road, curves sometime have to be straightened, allowance for drainage and other factors can change the location of the road. He commented this is when the problems with right-of-way occur.

Ms. Powell and her group discussed the impassable condition of Stuckey Lane and Stuckey Road when it rains and said their main concern was access for emergency vehicles. Their request was that Stuckey Road and Stuckey Lane be included in paving process at same time as W.C. Hodges Road.

Commissioner Hodges suggested these roads be added to the road list for Commissioners to consider when priority list is updated. Commissioner Beacham suggested any decision be tabled and Mr. Tatum research if these roads can be included in process with W.C. Hodges Road and present report to Commissioners for decision at a later date.

Chairman Anderson advised Mr. Tatum would prepare report for Board's consideration at a later meeting.

Chairman Anderson remarked each year the Commissioners have the opportunity to nominate a Clerk as a candidate for "County Clerk of the Year" through the Association of County Clerks of Georgia. He said he and Mr. Wood recommended nominating Ms. Evelyn Wilson as a candidate.

Upon motion by Commissioner Alston, seconded by Commissioner Hodges and carried, Evelyn Wilson was nominated as candidate for "County Clerk of the Year".

Chairman Anderson recognized Ms. Tina Hendrix. Ms. Hendrix presented a copy of a letter to Commissioner Smith, Courthouse Committee Chairman, regarding placement of decorative lighting downtown. She continued the Downtown Development Authority and City of Statesboro received a \$10,000 grant for decorative lights which the City was required to match to make a total amount of \$20,000 which will purchase about 17 lights. She said their

request was funds from the County in the amount of \$10,000 for six to eight lights around the Courthouse Square. She gave details of the project and said this was an opportunity to drastically change the appearance of downtown. She added some property owners had voiced interest in purchasing some lights and private property owners were also being contacted under a memorial program. She asked the Board's consideration of this request.

Commissioner Hodges offered a motion to table action on this request for further discussion and action at a later date. Commissioner Simmons seconded the motion and it carried.

Chairman Anderson recognized Mr. Joe Bell. Mr. Bell was spokesman for a delegation of Bulloch County Property Right Organization and said their number one request was reduction of the AG-5 classification from five acres to one acre. He presented a petition requesting this change with approximately 1500 signatures.

Commissioner Hodges asked if there was an active committee to look at zoning problems and make recommendation for changes if needed.

Chairman Anderson said any problems with zoning or changes should originate with the Zoning Board for them to make recommendation to the Board of Commissioners.

Commissioner Hodges comment that everyone knew the Zoning Ordinance wasn't perfect and knew there would be changes from time to time. He asked if the standing Zoning Board would be the body to review the problems with zoning staff and bring recommendations for changes.

Chairman Anderson said he had thought that was how it would work, but if the Commissioners wanted him to appoint another committee, he would.

Commissioner Smith commented he thought that was part of the original charge to the Zoning Board.

Mr. Larry Roberts requested permission to speak and said he was a member of the Zoning Committee which worked on zoning for over two years. He commented zoning had been in place less than six months, give it time to work, maybe some changes are needed don't but act too quickly until see how it is working.

There was some discussion of zoning classifications and comments about not being able to sell or use property owned before zoning which doesn't conform to requirements. Commissioner Simmons said there was a lot of misunderstanding and a lot of misinformation being distributed about zoning and any land owned prior to zoning can be used for whatever the property was used for or intended to be used for before zoning.

There was a some discussion of why citizens were not allowed to vote on Zoning and fact that a county employee was quoted in the newspaper as saying "we don't have to do that". Commissioner Smith responded he was in a meeting in January where an Attorney General's opinion was presented on issues such as this, there are certain acts that the Commissioners can do but they cannot go beyond that authority and call for a vote, specifically prohibited from calling for a vote on such issues as zoning. He stated the Commissioners cannot call a referendum on zoning in Bulloch County, prohibited by State Law from doing this.

There was a question of why the requirement for AG-5, what was the purpose of five acres.

Mr. Ricky Nessmith, Chairman of Zoning Committee, gave a history of the Zoning and the Zoning Committee, saying it evolved from the Comprehensive Plan which was mandated by State Law. He explain the Comprehensive Plan is a

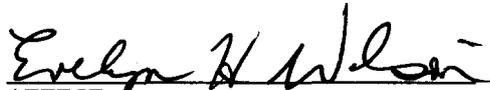
twenty year program required by the State with a five year work plan and out of all the issues addressed by the Comprehensive Plan zoning was the one thing which stood out with a need to be looked at and considered by Bulloch County. He said a Committee of 40+ citizens worked on zoning for over 20 months, advertising for public input throughout the entire process. He said the first draft had classifications of R-15, R-25, R-40, R-80, 5 acres, 10 acres, 15 acres and allowed no manufactured or modular homes in the R-25, R-40 or R-80 with the maps drawn to determine the agriculture base of the county. He said after a meeting with Mr. Larry Landers of Georgia Manufactured Housing Association and after consulting with legal counsel, the second draft incorporated manufactured and modular homes in every classification and 15 acres requirement was dropped. He continued after the Public Hearing and after further discussion and consultation with legal counsel the 10 acres requirement was dropped and all the maps were redrawn. He commented the maps were probably drawn and redrawn twenty times with them knowing it wouldn't be perfect. He said he would be happy for the Property Rights Organization to meet with the Planning and Zoning Committee.

There were comments that zoning should be repealed, it was unfair and discriminated, county was trying to control areas of growth, lower income people could afford five acres, agriculture was not being threatened, there were conflicts of interest.

Remarks and discussion became unruly and disorganized. Chairman Anderson announced unless there was other business the meeting was adjourned.

Mr. Ken Jones said an Executive Session was needed to discuss a personnel and legal matter. Commissioner Smith added land acquisition also needed discussion.

Upon motion by Commissioner Alston, seconded by Commissioner Simmons and carried, meeting was moved into Executive Session.

  
 ATTEST

  
 E. Raybon Anderson

March 21, 1995  
 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 thirteen visitors. Commissioner Hodges gave the invocation.

Minutes of regular meeting on March 7, 1995 and Executive Session on March 7, 1995 were reviewed. Upon motion by Commissioner Beacham, seconded by Commissioner Alston and carried, minutes of these two meetings were approved as distributed.

First items on the agenda were reports from the Tax Commissioner and Tax Assessor. Mr. Wood suggested these reports be delayed until later to ensure wider coverage by news media.

Moving down the agenda Chairman Anderson asked for discussion of land acquisition for Rocky Ford Landing improvements. Commissioner Lee remarked the property owner, Ms. Florine Aaron, has agreed to transfer title to approximately .7 acres for expansion of landing at Rockyford Bridge and said

he thought this would benefit this area.

Commissioner Lee offered a motion to proceed with purchase of .7 acres for purchase price of \$17,500 and other considerations in order to expand Rockyford Landing. Commissioner Simmons seconded the motion and it carried.

Another item of old business was discussion of Stuckey Road & Stuckey Lane. Chairman Anderson referred memorandum dated March 16, 1995 from County Engineer Kirk Tatum and advised circumstances have changed since this memo was written. Commissioner Beacham explained initially D.O.T. had advised they would be reluctant to participate in the paving of these roads because only 8 out of 20 lots have been developed and it is dead-end, but now, according to Mr. Tatum, D.O.T. has said it is a meaningful project. But it's Mr. Tatum's opinion that including paving of these roads with paving of W.C. Hodges Road does not afford any appreciable savings and if these roads are paved, they will be moving ahead of other projects. Commissioner Beacham said Mr. Tatum's recommendation was to table until have D.O.T. commitment in writing and then to put these roads in proper place on paving list because to move them ahead of other projects would probably not be a good idea, this could set a precedent.

Upon motion by Commissioner Beacham, seconded by Commissioner Hodges and carried, discussion on Stuckey Road and Stuckey Lane was tabled.

Chairman Anderson asked for update on Hospital by Commissioner Smith. Commissioner Smith remarked the request proposals have been distributed to nine companies which according to the consultant is a good response. He said the deadline was originally set for April 1st but because of request from a number of prospects two weeks had been added, moving the deadline for receipt of proposals to April 17th. He added the consultants handling the request for proposals has asked for two weeks to process the proposals and make recommendation which means the Negotiation Committee will have some sound proposals by early May. He advised there has been a change in the company handling the request for proposals, First Boston Financial Corporation who contracted to handle these proposals has dropped its tax free bond division but had agreed to honor all previous contracts which included this one. But two employees working with this project are now employed with Robinson and Humphrey in similar positions and Robinson and Humphrey has agreed, with approval from Negotiating Committee and Hospital Authority, to take over the contract from First Boston. He commented the Hospital currently has a advertising campaign to apprise public of anticipated changes.

Chairman Anderson recognized Mr. Frank Parker to updated Commissioner on project for downtown parking lot. Mr. Parker said in a previous meeting he had obtained authority to process with negotiations for property, his request was a contribution of \$35,000 from the county along with contribution from city, which has been approved, plus \$35,000 from Downtown Development Authority to purchase the property.

Chairman Anderson stated this matter was not on the agenda, Mr. Parker contacted Mr. Wood yesterday, and if Commissioners didn't want to take action today, they were aware of this project, it was discussed in a November meeting. He said there were some questions raised yesterday, who removes the buildings on the property, what's the cost of paving, who pays for paving, will city and Downtown Development Authority be partners with county in future parking lots needed in area of new judicial annex.

Mr. Parker said the City has paving machinery and has agreed to make a request to D.O.T. for participation for paving. He continued his request

included the county's help to remove the block building on the property.

Commissioner Smith commented everyone recognized importance of downtown parking but one concern was if this parking was provided, was there any assurance that this parking would not be used by business owners for personal use, would this provide parking lots for business owners or providing parking lots for the public. He continued that many businesses had private parking but some don't and use public parking.

Mr. Parker said most businesses do use public parking and that is the reason for additional parking, there is a shortage of 200-250 parking spaces downtown.

Chairman Anderson said he thought Commissioner Smith's question was if tax dollars are being used to provide employee parking for business versus shoppers, jurors and general public.

Mr. Parker commented the concept, as seen with other Parking Commissions and this would be his recommendation if a Parking Commission is established, is to provide off street parking for downtown employees and leave street parking for public. He added one half or more street parking is taken by employee parking.

Commissioner Hodges asked if there was a total cost figure for this project, cost to the county, cost to city.

Mr. Parker said no firm cost estimate has been established, city feels comfortable D.O.T. will participate in paving.

Chairman Anderson remarked D.O.T. participation would probably be about half of the cost.

Commissioner Hodges said that was his question, was city going to cover total cost of paving. He suggest this request be tabled until the next meeting to allow time for development of cost and who pays for what.

Commissioner Beacham asked if approval was need now for contribution toward purchase of the property.

Mr. Parker said yes, that was the reason for his request today and they were going forward with purchase of the property.

Commissioner Beacham offered a motion to approve purchase of property with county participation of \$35,000. Commissioner Smith seconded the motion. In discussion Commissioner Smith asked if motion should include the county's agreed to remove the building as time permits, would that be the extent of the county's participation with any further participation, paving, etc., being borne by the city and Downtown Development Authority.

Commissioner Beacham said he would change the motion to included removal of the building. Chairman Anderson asked should motion included the county will demolish the building and remove it if there is a place to put the debris, it could be expensive depending on what is in the building and if debris is put in the landfill.

In further discussion Commissioner Alston asked source of these funds. Commissioner Smith asked if this could come from sales tax funds for roads. Mr. Rushing said it could possibly come for sales tax designated for roads, wording for roads project would need to be researched to see if parking areas are included. Commissioner Lee asked if city and Downtown Development Authority were committed to participate in other purchases for parking in area of Judicial Annex. Mr. Parker said he couldn't speak for the city but the Development Authority is definitely commitment and he thought the city has shown a commitment.

Commissioner Beacham restated the motion to approve contribute \$35,000

for purchase of property depending on equal participation of other parties and subject to city's approves funding coming from roads and bridges if it qualifies, if not, it will be appropriated in next fiscal year's budget. Motion as restated and seconded, carried.

Chairman Anderson called on Mr. James Deal, Tax Commissioner, to give report on tax collections. Mr. Deal distributed a report showing dollar amount of collections and percentage of collections for years 1989 through 1994. He said the main interest was the 1994 digest with \$9,014,621 of \$11,312,775 or 79.69% collected. He commented on pre-bills for tags decals and said he was conducting a cost study on mailing of pre-bills, some counties do not mail pre-bills for vehicle decals. He remarked next year will be different since the Legislature has passed the 12 month, staggered decal law for decal sales based on birthday. He said would be glad to provide any information or statistical data to Commissioners at any time.

Mr. Wood asked how the rate of collections for this digest year at this time compare to prior digest years. Mr. Deal said that was one thing that bothers him, he didn't have that information available, couldn't find this information in the office.

Commissioner Smith asked when staggered decal law go into effect. Mr. Deal advised 1996 would be a phase in year.

Chairman Anderson recognized Mr. John Scott, Chief Tax Assessor. Mr. Scott distributed a report on the personal property audit program and said this project had been ongoing since early 1993. The report showed number of audits, audits with and with discoveries, value of discoveries and total taxes billed in addition to other information. He said a total of \$782,967.75 had been billed through this audit discovery program and commented he was very please with the success of this project. He said the Board of Education was participation in cost of project and the county would receive \$457,004.73 of \$782,967.75 billed with Board of Education receiving \$294,690.20. He commented this rate of return represents about \$8.59 for each \$1 spent. He said another function of his office was monitoring of timber harvesting and his office was trying to make a concentrated effort on enforcement. He reported there were three pending cases ready to go to the county attorney on unreported timber harvesting. He remarked he also wanted to remind taxpayers of the May 1 deadline on mobile homes and said his office would also be diligently enforcing that statute. He commented all of this wasn't an effort to run roughshod but was an effort to be fair to all taxpayers. He said he appreciated news media participation in efforts to keep public informed of deadlines.

Commissioner Lee asked if total value discovered, \$91,457,949, represent that much growth in the digest. Mr. Scott replied not really, that represented total value of unreturned property discovered through this audit program for a three year period.

Mr. Scott recognized Ms. Gail Miller and said she stepped in the middle of this project and he appreciated the good job she had done of keeping this project going.

Chairman Anderson said Commissioners appreciated the job all of them do.

Moving into new business Chairman Anderson said approval of contract was needed for paving of Friendship Church Road. He commented contractor, Littlefield Construction, was willing to pave this road at last year's bid price.

Upon motion by Commissioner Beacham, seconded by Commissioner Alston and

carried, contact in the amount of \$135,197.32 with Littlefield Construction for paving of Friendship Church Road was approved.

Chairman Anderson recognized Dr. Tom McMullen of the Savannah Avenue Association. Mr. McMullen said in the near future the county could come in possession of the hospital building and he understood no group had been formed to make recommendation as to what to do with that facility. He said their request was for someone from the Savannah Avenue Association be a part any group that would make recommendations for that facility.

Commissioner Smith commented he thought that was a reasonable request and until some definite direction is known it might be a little premature but at some point in time such a group could be needed.

Chairman Anderson thanked Dr. McMullen for their interest and said their request is noted.

Chairman Anderson recognized Ms. Harry Arling. Ms. Arling said they were property owners in Iron Gate Subdivision and thanked the Commissioners for the opportunity of presenting her problem. She said about three years ago the property behind their property was sold, originally this property was to be developed under Irongate rules and regulations in a future plan. She presented diagram showing the paved road ending just past their driveway and said the county maintained this unpaved section of road which was just grass. She said they were told road was left that way because property beyond this point was not developed and when it was developed the road would be straight through to Country Club Road. But when the undeveloped property was sold to an individual they were told the road would become a dead end because this now private property had access from Country Club Road. She explained when the present property owner, Dr. Roshto, began building his house this route through Irongate was used as access to his property and now he has continued to use this route to his property, this road has become his personal driveway although he has a driveway from Country Club Road. She said her request was that the Commissioners consider the fact that they were told that this was a dead-end street and in fact they couldn't go through this way to Country Club Road. She asked the Commissioners consider deeding the property (unpaved road) so they could stop the through traffic.

Chairman Anderson asked if they had talked with Irongate developer. Ms. Arling said no.

Commissioner Hodges asked if this was a county road. Chairman Anderson said the paved road was a county road, he didn't think the county had accepted anything but the paved road.

Commissioner Hodges asked what Dr. Roshto says about all of this. Ms. Arling said they have not spoken with him but he is aware that they are not happy with these circumstances.

Chairman Anderson said he became aware of this situation yesterday and had asked Staff Attorney Ken Jones and Public Safety Director Ted Wynn to investigate. He asked if they had any comments.

Mr. Jones remarked that they looked at the area and talked with the other property owner and it's apparent that the right-of-way continues on after the paving stops. He continued from what he could tell it was a public way which abuts his property line and he said Dr. Roshto has always planned to develop this as a driveway because he was told when he bought the property that it was an access into his property.

Ms. Arling said when they purchased their property they were told this strip was not for sale because it was set aside on the original plat for a

road straight through to County Club Road.

Mr. Wynn commented his personal feeling was that this a personal dispute of covenants between two property owners.

Chairman Anderson said he didn't think the county could have accepted a dirt road because of the Ordinance, that dirt road does not belong to the county and if it does, the county has acted inappropriately.

Commissioner Beacham suggested Ms. Arling get Irongate developers involved to see what was conveyed when this property was sold, what was purchaser told.

Chairman Anderson said he didn't think there was anything the Commissioners could do legally because, he hoped, that unpaved portion didn't belong to the county, if it does, it needs to be rectified. He agreed with Commissioner Beacham's suggestion to get developers and property owners involved and get it settled among all parties, hopefully, if developers did make a commitment, they will honor that commitment.

Ms. Arling thanked the Board for their discussion of her situation.

Chairman Anderson asked for other business. Commissioner Beacham referenced question in last meeting of why five acre tract requirement in Zoning Ordinance and said some research through the County Extension Service had revealed that from 1982, a twelve<sup>year</sup> period, agricultural acres in Bulloch County has gone from almost 134,000 acres to 97,000 acres, a reduction of farm acreage of about 37,000 acres. He added about half of this has gone into conservation resource program which means about 17,000 acres have been lost to development which he thinks justified the five acres requirement.

Commissioner Smith commented one of the big issues in state legislatures all over the country, particularly in agricultural states such as North Carolina, is the problems with lawsuits filed because of abutment of agricultural and residential areas. He said as when urban development spreads out without a planned growth, as trying to do with zoning, there has been a great deal of opposition to agriculture in general.

Chairman Anderson asked for other comments. Commissioner Lee relayed a citizen's report of someone removing dirt from Robinson Road, road #403. Mr. Wood said this matter would be investigated today.

Mr. Wood referenced discussion at last meeting of Zoning Ordinance being provided at the Library and advised two copies of the Ordinance had been placed at Georgia Southern Law Library and Statesboro Regional Library. He distributed a draft of a brochure developed by Ms. Comer to answer basic zoning questions. He asked Commissioners to review this draft and make any suggestions for changes, once it's finalized it will be printed and available for distribution.

Mr. Wood advised Bulloch County will remain in the Altamaha Georgia Southern RDC for another year, the total revamping of state RDC lines missed approval and the county's petition was not approved. Chairman Anderson asked if the county's petition was presented. Mr. Wood said he didn't know.

Commissioner Smith commented on computer analyses completed by Ms. Lynn Morris of Department of Community Affairs. He said this was a very complete analyses, listed everything that might possibly be use, he didn't think every item was an absolute necessity but this was good guide for budget and computer request. He said the report reveals that most of the computer systems in county offices were good systems and it also pointed out some dire needs in the immediate future such as the Tax Commissioner Office and Magistrate Court.

Chairman Anderson referenced letter from Department of Transportation informing of their investigation of accidents on the perimeter road.

Commissioner Hodges asked clarification of meeting on March 30th. Chairman Anderson remarked this would be a Public Hearing as required by the State, a Public Hearing is required anytime the landfill is out of compliance. He said they have been advised that some contaminates have been found in monitoring wells on the property, nothing to be alarm about, but EPD requires a Public Hearing anytime anything is found. He commented Commissioners are encouraged to attend, won't be part of the program which will probably be conducted by Robert Cheshire, City Engineer, with comments from landfill consultants and EPD.

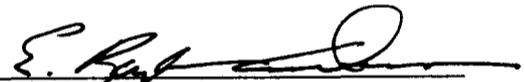
Commissioner Lee asked when road priority list would be updated, he said residents on Cobb Road have inquired if this road was on the priority list, they have submitted a petition with 100% participation and want to be put on priority list.

Chairman Anderson said he asked Mr. Tatum to try to schedule this in the next few weeks. He added Mr. Tatum has contacted residents of Cobb Road to discuss procedures.

Mr. Lewis Tremble asked procedure for a road being put on priority list. Chairman Anderson reviewed procedure for road paving request. Mr. Tremble asked if Magnolia Church Road was on the priority list. Mr. Wood said it was the last one on the priority list. Commissioner Alston commented all property owners signatures have not been obtained for this road and road wouldn't move up on the priority list unless all signatures were obtained.

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

  
ATTEST

  
E. Raybon Anderson

April 4, 1995  
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 Smith present.

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

Minutes of regular meeting on March 21, 1995 were presented. Upon motion by Commissioner Beacham, seconded by Commissioner Alston and carried, minutes of this meeting were approved as distributed.

In old business Chairman Anderson asked Commissioner Smith to explain request from the Airport Committee. Commissioner Smith remarked the contract for construction of the new FBO building was discussed in the Airport Committee meeting held today and there was some concern of some inadequacies in the building which could cause some maintenance problems later. He explained the bathroom areas had vinyl floor covering with sheet rock walls to the floor and it was suggested this be changed to ceramic tile for floor and about 3-4 feet up the wall, it was also suggested the entry hallway be changed from a vinyl floor to ceramic tile. He said another

suggestion was the building be plumbed for installation of an ice machine. He advised total cost, including ice machine, is not to exceed \$15,000, which still keeps the project under the budget set for the airport improvements.

Commissioner Smith offered a motion to approve the request of the Airport Committee for additional \$15,000 for building construction for airport. Commissioner Alston seconded the motion and it carried. In discussion Chairman Anderson commented this project was included in the sales tax funds and was still under budgeted amount. Motion to approve Airport Committee request carried.

Chairman Anderson asked for other old business. With no response, he asked Mr. Jimmy Dodgen to handle the first item of new business, rezoning request for Gold Kist, Inc.

Mr. Dodgen said this application was for rezone from classification of LI (light industrial) to classification of HI (heavy industrial) of 23.04 acres on Highway 301 south. He said they proposed to erect a cotton gin which, because of noise level and fire hazard, best fit heavy industrial classification and the property is currently classified light industrial. He advised there has been no objection to this rezone and presented a letter from the Development Authority supporting the project and offering their help to Gold Kist. He said the Planning and Zoning Commission recommended approval of this rezone request.

Commissioner Hodges offered a motion to approve rezone classification of HI for Goldkist, Inc. Commissioner Simmons seconded the motion. In discussion Commissioner Alston asked if there were any residences or business around this property. Mr. Dodgen said there were no adjacent residences, there were some other businesses which were notified of this request by certified mail with no objections. Commissioner Lee asked if Gold Kist had enough acres to handle this operation. Mr. Eddie Powell of Gold Kist said at the present time they did have enough acreage, there had been some discussion with the Development Authority to perhaps purchase additional property in the future to erect a warehouse complex. Commissioner Smith asked about gin trash. Mr. Powell said there would be an on site composter to handle gin trash. Mr. Wood asked if EPD approval was required for the composter. Mr. Powell said he didn't think so, but Gold Kist engineer had contacted EPD. Mr. Dodgen said he thought EPD had to approve the cotton gin and he would be glad to work with Gold Kist for any additional permits other than ones they're already seeking. Motion approving rezone request for Gold Kist, Inc. carried.

Next item of business was an Ordinance Amendment for the Health Department. Chairman Anderson recognized Mr. Glynn Bray of the Health Department to explain this amendment.

Mr. Bray said in October 1994 the Board of Health addressed concerns regarding food service establishments in the county and option of ways to see that these establishments comply with rule and regulations for food service. He continued the Board of Health investigated the adoption of an Ordinance amendment (A-B-C grading system) where a grade card is issued at time of semiannual inspection to be posted on the front door. He said this accomplishes two things, it induces food service establishments to do as much as possible to meet standards for clean, environmental safe place and it also notifies the public of how an establishment did on its last inspection. He advised in their January 1995 meeting the Board of Health adopted this proposed amendment, a Public Hearing was held on March 10th and

amendment is proposed to take effect September 1, 1995, which gives food service establishments time to make corrections to be in compliance. He remarked if an establishment receives a "B" or "C", there is an provision for them to have their grade reassessed if they make an effort to cleanup immediately, there is a fifteen day period in which they can call for a reinspection. He said the states of North Carolina and South Carolina have had this Ordinance for years and the one presented is drafted from the North Carolina Ordinance. He added one county in Georgia, Coffee County, has had this system for about fifteen years and it has been very successful for them.

Commissioner Hodges asked where inspection sheets are posted now. Mr. Bray said that's the problem, the present regulation says the inspection sheet will be posted in public view which is ambiguous. He added the favorite place is by the cash register and even if a person sees it, they have probably already eaten.

Commissioner Lee asked how big of a problem was there with compliance on inspections. Mr. Bray responded there were enough concerns to make them feel this was indicated. He said the Board of Health was given detailed examples of noncompliance and were concerned with what was presented and also felt the public should be aware of inspection results.

Commissioner Smith commented a grading system like this would certainly tend to upgrade all establishments.

Mr. Bray commented there were 154 licensed food service establishments and most of them have already began making preparations for this grading system.

Commissioner Lee asked if an establishment's physical facility limited the grade that can be obtained, for example, a small kitchen turning out a large volume.

Mr. Bray explained there are three main category in the regulations, personal hygiene, structural, operational and each item carried a point value, some more serious than others.

Commissioner Lee said his concern was once a "C" was put on an establishment and they were doing the best they could with the facility they had, the establishment would lose business.

Mr. Bray said the intent wasn't to hurt or punish businesses, but to try to protect the public.

Chairman Anderson stated the Board of Health adopted this amendment in Janaury with the Public Meeting held as required by Law and Commissioners were being asked to sanction the amendment for enforcement purposes.

Commissioner Hodges offered a motion to adopt Ordinance amendment for public display of grade card. Commissioner Beacham seconded the motion and it carried with Commissioners Alston, Simmons, Beacham, Hodges, Smith voting in favor of the motion and Commissioner Lee voting against the motion. See exhibit #1995-11

Next item for discussion was a board appointment for the Statesboro-Bulloch County Library. Chairman Anderson referenced a letter from Ms. Nancy Ray, Library Director, advising of a vacancy on the Board due to resignation of Ms. Laura Jennings and requesting the appointment of Mrs. Laura M. Godbee to serve the remainder of this unexpired term. He said this decision was for the Commissioners to make.

Commissioner Beacham commented this was a person who had an interest in the library and was willing to serve. He offered a motion to accept the request of the Library Board and appoint Ms. Laura M. Godbee to serve the

remainder of the term which expires on June 30, 1996. Commissioner Alston seconded the motion and it carried.

Chairman Anderson reference receipt of notice for a term expiration on the Hospital Authority and said nominees for this appointment would be an item on the agenda for the first meeting in May.

Chairman Anderson presented the next item of business, resolution for Bulloch County Employee Insurance Plan. Upon motion by Commissioner Hodges, seconded by Commissioner Alston and carried, resolution was approved. See exhibit #1995-12

Chairman Anderson advised bids on general insurance for the county were opened on Monday. He said this wasn't on the agenda, but he would like Board's approval to appoint a committee, Commissioner Lee, Scott Wood, Evelyn Wilson, Ken Jones and him, to study these bids and accept the bid which gives the best coverage for the least cost. He commented only two bids were received and this insurance coverage will expire before the next Board meeting.

Commissioner Lee commented it might be noted the reason for this approval is the coverage needs to be enforce before the next meeting.

Commissioner Hodges asked when the coverage expired. Mr. Wood said coverage expired on April 15th.

Commissioner Smith offered a motion to approve appointment of the committee as named and empower them to award the coverage to the company they deemed best. Commissioner Alston seconded the motion. In discussion Commissioner Hodges said if bid went over the allocated amount in the budget, would it be brought back to the Board, does it have to be approved before the budget is set. Mr. Wood advised it was a budget item. Commissioner Beacham asked if premium had a significant increase. Mr. Wood said no, it hasn't gone up a lot. Motion was approving appointment of committee to review insurance bid and award coverage carried.

Chairman Anderson asked for other new business. He recognized a group of citizens from the Stilson area and said three people had requested to be on the agenda, Mr. Larry Roberts, Mr. Wade McElveen and Ms. Woody Brawler.

Mr. Roberts asked his group, which consisted of about 25 people, to stand and said, after the late meeting he attended, they felt a response was in order to address the request for change in AG-5 to AG-1. He asked Mr. McElveen to continue.

Mr. McElveen stated he made his living from producing food and fiber, he wasn't a large landowner, about 90% of land he farmed was rented land which was getting increasingly hard to find. He read a prepared statement concerning the loss of farm land, which said the loss of the agricultural industry in the county would be of great consequence, both economically and in terms of quality of life. The statement gave statistics of loss of 36,000 acres for production of crops since 1982, some of this went into conservation program but a large portion of it went into development. The statement urged the Commissioner to do four things: (1) retain the 5 acre requirement in ag districts; (2) require an affidavit from buyers of lots in ag districts in which they acknowledge that there are odors, noise, night operations and other activities that accompany crop and livestock production; (3) consider a moratorium on all multi-unit residential development in the southeastern part of the county; (4) do no emasculate the zoning ordinance by watering it down or be tolerant of laxity in its enforcement. In closing Mr. McElveen urged the Commissioners to value the agricultural industry in Bulloch County highly and do everything to preserve

it.

Ms. Brawner introduced herself as a farmer owning a small orchard and said she attended one of property rights meetings. She said one claim that has been made is that there is a shortage of housing and Briggs & Stratton was given as an example to justify that claim. However, of the 850 to be employed at Briggs & Stratton, twenty families of supervisory position are already here and have found places to live, the other 800 positions will be filled from a nine county area, they already have homes. Ms. Brawner said Ms. Peggy Chapman of the Development Authority advises that a copy of the multi-listing housing guide is sent when they contact a perspective industry and Ms. Chapman has also said there is not a shortage of homes or places to live. She said last year before zoning was enacted there were 18 mobile home rental park sketch plans approved, which means approximately 1300 rental spaces and there were approximately 1706 lots to be developed. She emphasized that she didn't think there was a shortage of places to live and the Ag-5 zone didn't need to be changed.

Mr. Skip Burney thanked the Commissioners for their patience and asked them to look ten to fifteen years ahead, not at the people in this room but at their children and grandchildren. He said they need a good quality of life, they are the ones who need to be considered and we are stewards for our children and grandchildren. He said he thought the manufactured home industry had a large vested interest in seeing the zoning requirement changed.

Mr. Roberts said they were not against growth, the county needs quality growth but didn't need quantity growth such as seen in their area. He presented statistics on the Stilson School, a new school which today is already 120 over capacity, state projections for this school was 450 students in the year 2000, today's enrollment is 577 students. He read a letter from Dr. Billy Bice, School Superintendent, which asked Commissioners consider overcrowding of this school in any consideration of housing development in this area. Mr. Roberts also presented a letter from the Sheriff's Department and said law enforcement was stretched to the limit in this area. He commented there were problems with overcrowded schools, solid waste management problems, law enforcement and emergency response problems, problems with recreation. He said they felt that zoning and planning were the tools to provide the growth plan for the county and should be given time to work. He said the big question was what Bulloch County would look like in the year 2000.

Commissioner Smith commented he would like to discuss the affidavit of buyers of agricultural lands and said there are real problems anytime there are encroachment in these areas. He added he would like to see something like this in place to put people who do purchase property in the AG-5 areas on notice that they are in an agricultural area.

Commissioner Beacham asked if such an affidavit would give an agricultural owner a stronger legal position. Commissioner Smith said he felt it would.

Commissioner Smith offered a motion for the Staff Attorney to pursue an Ordinance amendment and a proposed affidavit, to be presented to each land purchaser in an AG-5 district before land title is transferred, for Commissioners' action. Commissioner Beacham seconded the motion and it carried.

Commissioner Smith asked if there was a way to curtail growth in problem areas where there wasn't infrastructure to handle it.

Mr. Jones said there were certainly mechanisms which could be investigated, changes in the Ordinance on how certain infrastructures are effected and rationale behind amending the Ordinance to address those problems.

Commissioner Hodges commented that anything approved before Zoning wouldn't be effected by any changes.

Mr. Jones said no, there was a vested right, but the clock was ticking on the eighteen month time limit on those who went through the preliminary stage and he felt some of these would not develop further and would expire. He added those who do present final subdivision plans can be scrutinized under the Subdivison Regulations which were already in place.

Chairman Anderson recognized Mr. Joe Moseley, City Planner. Mr. Moseley suggested a committee to study growth and recommend ways to control growth in fast growing areas of county.

Chairman Anderson asked for other comments. Commissioner Simmons thanked this group for their support. Commissioner Alston commented he was glad to have this expression from the farming community.

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

  
ATTEST

  
E. Raybon Anderson

April 18, 1995  
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 Smith gave the invocation.

Minutes of regular meeting on April 4, 1995 were presented. Upon motion by Commissioner Simmons, seconded by Commissioner Smith and carried, minutes of this meeting were approved as distributed.

Chairman Anderson announced the first item of old business, Defined Contribution Pension Plan, was being referred to the Pension Plan Trustees for study and it would be brought back to the Board if necessary.

Chairman Anderson reminded the Board of notice of term expiration on the Hospital Authority and recommendation of three nominees for this appointment will be handled in the meeting on May 2nd. He asked the Commissioners to give him names of anyone they wanted to be considered.

Commissioner Hodges asked if a name is submitted, who will contact the person to see if they are willing to serve. Chairman Anderson suggested all names to be considered be submitted and then reduced to three who are willing to serve.

Names for nominees for Hospital Authority will be submitted to Chairman Anderson.

Commissioner Hodges asked if a decision was made on the county's insurance coverage discussed in the last meeting.

Chairman Anderson referred to Commissioner Lee who advised two bids were received, one from Blount, Burke, Wimberly & Hendricks and one from Darley

Insurance Agency. He advised the coverage was placed with Blount, Burke, Wimberly & Hendricks, the key point for placing this coverage was because they would offer the county prior acts coverage which, it was felt, the county couldn't afford to be without.

Chairman Anderson asked for other old business. With no response, he presented a Proclamation for a National Day of Prayer on May 4th. He said the Ministerial Association had asked the County proclaim this Day of Prayer jointly with the City of Statesboro.

Commissioner Smith offered a motion to adopt the Proclamation for a National Day of Prayer. Commissioner Alston seconded the motion. In discussion Commissioner Hodges noted the Board of Commissioners were not included in the wording, just the Commission Chairman and the Mayor. Motion to adopt the Proclamation carried. Wording will be changed to include the Board of Commissioners and Statesboro City Council.

Chairman Anderson asked Commissioner Alston to give a report on the Recreation Department Task Force.

Commissioner Alston said this Task Force was composed of him, Commissioner Beacham, Councilman John Newton, Edwin Hill, Scott Wood and Carter Crawford. He continued the committee has met numerous times to discuss the reporting of the day to day operation of the Statesboro-Bulloch County Recreation Department. He advised the Task Force has gone on record as recommending that the day to day operation of the Recreation Department report directly to the County Manager. He commented the City of Statesboro, at this time, has indicated their willingness to remain as an active participant in making financial contribution to the operation of the Recreation Department. He asked Commissioner Beacham to comment.

Commissioner Beacham advised the Recreation Department Board of Directors would remain in place, which will make this a little different from a normal county departments.

Commissioner Alston added programming will still be planned and directed by the Board of Directors, day to day operations would be under the County Manager.

Mr. Wood commented the intent is to continue maximum utilization of the Recreation Advisory Board while establishing a greater level of administrative and operational accountability on the part of the staff.

Commissioner Alston said the Task Force has asked Mr. Wood and Mr. Carter to meet with Mr. Mike Rollins and development a Memorandum of Understanding for this change.

Chairman Anderson asked Staff Attorney Ken Jones to brief the Board on developments on Settlement Road. Mr. Jones said this was the road which, for about a mile, was the county line for Bulloch/Evans Counties and about a week ago calls were received from several concerned citizens. Mr. Jones explained the property owner, in the section of the road not routinely maintained, had put up a fence along his property line to prevent people from traveling around the pond which backs up on the road. He said, after some consultation, it was decided something should be done to bring this situation to a head so Evans and Bulloch County jointly sought an injunction to maintain status quo on the road until a final determination of action to be taken on the road can be decided.

Chairman Anderson added the property owner has also dug a ditch on both ends of the road. He advised the site was reviewed in the present of a Deputy Sheriff on Friday and a temporary restraining order was issued which instructed the property owner to fill the ditch on the Kennedy Bridge side of

the road. He advised that he and Mr. Jones would meet with Evans County officials today to develop a plan to pursue.

Chairman Anderson asked for update from the Warden and County Engineer. Mr. Akins commented that contractor should begin work on Friendship Church right away, work on Lotts Creek/Joe Hodges Road should be completed by middle of next week, right-of-way work is almost complete on Burkhalter Road and grading will begin on Burkhalter when complete Lotts Creek.

Commissioner Lee asked status of the other section of Burkhalter Road. Mr. Tatum advised the survey had been approved by D.O.T. and, hopefully, survey crew which should be here in the next two weeks. He added he didn't know how property owners would react once survey was completed, if there was no problem in obtaining right-of-way, he thought this section could be included.

Commissioner Beacham commented on some recently paved roads, last two or three years, deteriorating sooner than he thought they should and said he had concerns about this deterioration.

Chairman Anderson said the Road Department and Engineering Department recognizes this problem and steps have been taken in the last few months to correct the problem. He asked Mr. Tatum to comment.

Mr. Tatum said the inspection on roads was being changed to detect weak spots and gave example of how new inspections would be done.

Chairman Anderson said Mr. Wood had reminded him of another important point, which is to build roads one year and pave them the next year.

Chairman Anderson asked for comments from Ted Wynn, Public Safety Director. Mr. Wynn said Mr. Wood had asked him to coordinate an auction of surplus county property and advised an auction will be held jointly with the City on Saturday, April 22nd at 9:00 A.M. at the city's shop on Hill Street.

Chairman Anderson asked for comments from Becky Comer, County Planner. Ms. Comer commented the zoning brochure was complete and copies were available for anyone who would like a copy.

Chairman Anderson recognized Bob Smith, Environmental Manager. Mr. Smith presented a resolution to recognized the eleven county Regional Keep America Beautiful Program. He explained this resolution is required by the National Keep America Beautiful Organization for the final certification of this eleven county program. He added the county has participated in this program for over a year and this is a requirement for official certification.

Chairman Anderson said this resolution was not on the agenda because the correct wording wasn't received until yesterday and if the Board didn't want to take any action, it could be postponed.

Commissioner Hodges offered a motion to approve resolution providing for the establishment of Southeast Georgia Waste Reduction and Recycling. Commissioner Alston seconded the motion and it carried. See exhibit #1995-13

Mr. Smith advised the new cardboard recycling program was started yesterday in the City of Statesboro, five containers were placed at five businesses. He commented the old dumpsters were converted to handle cardboard collection.

Commissioner Beacham asked status of additional compactor sites. Mr. Smith remarked there were four centers open, there were three properties in the county awaiting construction and were presently waiting on the City to local a site for center within the city limits, once that center is complete the other county centers will be developed.

Chairman Anderson asked Mr. Jones for any comments. Mr. Jones said at

the last Board meeting he was asked to research an affidavit for purchasers of land in agricultural areas and he has learned that Georgia Farm Bureau shepherded a bill through the House and the Senate dealing with this issue. He added the bill awaiting the Governor's signature.

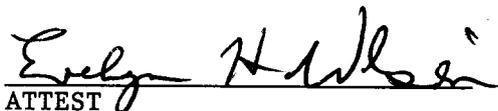
Chairman Anderson asked for other comments. Mr. Wood commented that Mr. Wynn and Mr. Akins have worked with the City Fire Department to install 48 dry fire hydrants throughout the county and the county has approval for another 27 for which sites have to found. He added there is nothing more important than protection of lives and property.

Mr. Wynn interjected they encourage public contact if someone has a site where a dry hydrant can be installed.

Chairman Anderson recognized Mr. Jim Thompson. Mr. Thompson said they met with the Zoning Board and presented a letter of some changes requested by the Bulloch County Property Rights Organization to Mr. Ricky Nessmith. He added his purpose this morning was to present the 2000 signatures for these requested changes to the Commissioners.

Chairman Anderson accepted and acknowledged receipt of the petitions.

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

  
ATTEST

  
E. Raybon Anderson

May 2, 1995  
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 sixteen visitors. Commissioner Alston gave the invocation.

Minutes of regular meeting on April 18, 1995 were presented. Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, minutes of this meeting were approved as distributed.

First item of old business was naming three nominees for Hospital Authority appointment. Chairman Anderson advised the term of Mr. Fred Blicht expired in September and the Commissioners are required by Hospital Authority bylaws to submit three nominees in the month of May. He said three names have been submitted to him, these are Mr. Fred Blicht, Mr. Billy Hickman and Mr. Jim Sikes. He advised these nominees were willing to serve if appointed. He asked for any other nominees.

Upon motion by Commissioner Beacham, seconded by Commissioner Alston and carried, names of Mr. Fred Blicht, Mr. Billy Hickman and Mr. Jim Sikes will be submitted to the Hospital Authority for appointment to the expiring term.

Chairman Anderson asked for other old business.

The first item of new business was a zoning conditional use request by Georgia R.S.A. #8 Partnership. Chairman Anderson asked Staff Attorney Ken Jones to present this item.

Mr. Jones explained Georgia R.S.A. #8 Partnership, Bulloch Cellular Inc., was requesting a conditional use in order to add an additional, 12'x28'

heated, building to house communication equipment on their site off Cypress Lake Road. He added they were not increasing the size or height of the tower.

Commissioner Alston said he believed some residents in that area had some initial concerns of radio transmissions and asked if these residents were contacted in this process, what was their reaction.

Mr. Jones said they were at the Planning and Zoning Commission meeting and were aware of this Public Hearing. He commented they were basically against it, but he believed most of their concerns stemmed from the fact the tower was placed there, it was an action prior to zoning, and they had no way of knowing or an opportunity to speak out at that time. He said they questioned possible radiation, microwaves and interference coming from the tower.

Commissioner Alston asked if the Planning and Zoning Commission approved this conditional use.

Mr. Jones said the Commission recommended approval. He explained this conditional use did not include any change in the tower, just another building, there is enough call volume going through the one cell there to warrant another cell.

Commissioner Smith said he had some knowledge of this matter and explained when cellular service first came to Bulloch County there was some problem of location for a cell because of requirements dictating where it could be placed. This particular site was available for sale, was an approved site, and the tower was erected. He said the opposition came after the tower was erected because no one knew about it, there was zoning at that time. He said he thought it had been proven that there is not a lot of danger from radiation in the area and the reason for a second modular is the need for new numbers, when cellular service first came it was estimated that in five years there would be 3,000 subscribers, have almost reached this number in three years.

Commissioner Hodges offered a motion to approve the request for conditional use by Georgia R.S.A. #8 Partnership. Commissioner Smith seconded the motion and it carried. Commissioners Alston, Beacham, Hodges and Smith voted in favor of the motion. Commissioner Simmons voted against the motion and Commissioner Lee abstained because of personal conflict.

Chairman Anderson asked Mr. Jones to present the next item, zoning conditional use by Mr. Robert D. Rushing.

Mr. Jones said this request was to allow an airstrip for crop dusting on Mr. Rushing's property on County Road #153. He explained all set back requirements were met, Mr. Rushing shorten the runway to meet set back requirements.

Upon motion by Commissioner Smith, seconded by Commissioner Simmons and carried, conditional use for airstrip was approved for Mr. Robert D. Rushing.

Chairman Anderson announced a change in the agenda. He advised the Bulloch Memorial Negotiating Committee had a report to present to the Commissioners and recognized Commissioner Smith.

Commissioner Smith said the Negotiating Committee was formed some months ago to negotiate the sale of the hospital and gave the makeup of the Committee. He advised the request for proposals were sent out on April 1st with a response deadline of April 17th. He continued the Committee met yesterday to consider six proposals out of a number received. He said the consensus of the group is that there are a number of good candidates for

consideration. He added further study of these organizations are planned with negotiations for the best possible offer before a recommendation will be made to the Hospital Authority. He gave the prime considerations of the Committee; (1) ability to provide high quality acute care services for Bulloch County and surrounding areas, regional medical center; (2) willingness to build a new state of the art medical facility; (3) continuation of present hospital services and expansion of services to best meet the need; (4) provide for indigent care at no cost to taxpayers of Bulloch County. Commissioner Smith said after the Hospital Authority considers the recommendation of the Negotiating Committee it will in turn make a recommendation to the Board of Commissioners who must hold a Public Hearing to receive public comment before a final decision is made. He said some members of the Committee were present and might like to comment.

Chairman Anderson recognized Dr. Steve White. Dr. White commented the meeting yesterday was the most productive meeting he had attended in all these proceedings, they had all agreed there were a number of good candidates.

Chairman Anderson thanked Commissioner Smith and other members of Negotiating Committee for time they were devoting to this issue.

Chairman Anderson said another item not on the agenda was discussion of needs of the library during the renovation of the building. He said this item was added after the meeting agenda was prepared and no action would be taken at this meeting. He recognized Ms. Nancy Ray and Mr. Ralph Andrews.

Ms. Ray said the architect and building consultant for the renovation project have recommend they vacate the building during the library renovation and building process. She said they now occupied about 24,000 square feet of space but could function in about 16,000 to 17,000 square feet. She review an estimated budget of \$102,000 for the relocation, rent of space, 16,000 square feet, for \$96,000 was the biggest expense with other incidental expenses of \$6,000. Ms. Ray continued they had been looking for space to accommodate their operation in one building, this would be ideal, but if necessary they could split their functions between two locations. She said they hope someone would consider renting to them at a reduce rate as a charitable purpose for tax considerations.

Chairman Anderson clarified that this was a one time addition to the library's budget. He said Ms. Ray is aware this will have to be in the new budget, no money for this expense in the present budget.

Mr. Wood reviewed estimated budget of \$102,000 and asked if they anticipated this split 50-50 between the city and county or is there a third party participation.

Ms. Ray said there is no third party and Mr. Crawford and Mayor Averitt are aware of this expense, but no commitment has been made by the city.

Mr. Wood commented he thought there was some urgency on the library's part because they had located a building which might service part of their needs. He asked what were benefits of splitting staff, where does the public go to get what.

Ms. Ray stated a building of about 6,000 square feet had been found and the owners were offering it at a very reasonable rate. She said the building would need some plumbing on the first floor, but basically would serve their purpose. She said if this building was rented, they would need another building of about 6,000 to 7,000 square feet. She said their decision to go into two buildings, if necessary, is for economic reasons, this is the biggest concern. She added they have already anticipated how staff and functions

could be split. She thanked the Commissioner for allowing her to present their plan.

Chairman Anderson said he understood they would like some decision at the next meeting so the library could proceed in location of a building.

Next item on the agenda was a joint resolution between the City and County for the Statesboro-Bulloch County Recreation Department. Chairman Anderson said this matter had been previously discussed and was present for Board action.

Commissioner Smith commented Recreation Department would become county employees but remain covered by some of the city's programs. He asked if there was any problems with this arrangement.

Commissioner Beacham said, as far as they knew, there were no problems, its been addressed by the city.

Chairman Anderson said they have been Recreation Department employees covered by city's programs and still will be Recreation Department employees, just responsible to the County Manager for day to day operations.

Commissioner Smith asked would this change with this resolution. Mr. Wood said not right away.

There was some discussion of how Recreation Department employees were paid and the difference in the City's programs versus the County's.

Commissioner Alston said in meetings of the Task Force discussion had been for pay plans and other details to be worked out with the County Manager and a couple of points were made on responsibilities of the Recreation Board members but he believed the Board members may not see the whole picture, there are times when there is not a quorum at the Recreation Board meetings.

Commissioner Hodges asked if Recreation Department would continue to operate the same as it is now or would it be like any other county department.

Mr. Wood said that point has been discussed and, his feeling was, he would prefer it remain as it is if that department can be actively impacted. He discussed how the Recreation Department budget was disbursed to the Recreation Department each month with no account that line items are adhered to. He said with respect to changes he thought the right approach was to go slow, both operational and administratively.

Chairman Anderson remarked accountability is the need.

Commissioner Hodges asked what was the present agreement with the City. Chairman Anderson said the present agreement was verbal, no written agreement. Beacham commented the written agreement has expired.

Commissioner Hodges asked when this agreement would expire. Mr. Wood replied it would expire when this administration left office or when it's rescinded.

Commissioner Alston commented in Task Force meeting the discussion was for the need of a Memo Of Understanding between the County Manager, the City Administrator, the Recreation Department and the Recreation Board.

Mr. Wood said he thought this joint resolution was the answer to the Memo of Understanding, he wasn't sure what more could be added.

Commissioner Alston said it didn't address some issues such as employees' pay schedules and other related issues, some thing weren't resolved.

Commissioner Lee asked who made appointments to the Recreation Board, did the City made any appointments.

Chairman Anderson said in the past few years appointments have been made jointly.

Commissioner Smith asked Mr. Wood if continuing City programs for

Recreation Department employees would create administrative problems. Mr. Wood said he didn't think it would.

Commissioner Smith offered a motion to adopt the joint resolution between the City of Statesboro and Bulloch County Commissioners to establish the Statesboro-Bulloch County Recreation Department as a formal Department of Bulloch County. Commissioner Beacham seconded the motion and it carried. See exhibit #1995-14

Chairman Anderson said another item for Board's information was an update on Settlement Road. He advised that he, Mr. Wood, Mr. Jones, Mr. Steve Rushing and Mr. Tatum appeared at Hearing held this morning in Bryan County. He said the Judge extended the Temporary Restraining Order for no more than forty-five days and also order the property owner to keep the water level within three feet of the road bed. He added the Judge also allowed Bulloch County to put 18" of soil in the low area where the pond normally backs across the road and ordered the property to take down the road blocks, fill in the ditches which were dug and to sign the road as it was signed, "open - travel at your own risk." Chairman Anderson stated another hearing will be held within forty-five days to make a permanent ruling.

Chairman Anderson recognized Mr. Ted Wynn. Mr. Wynn remarked there was a Safety Fair held on Sunday which the state wide Occupancy Safety Task Force from the Governor's Office attended. He said they presented a Certificate to the Board of Commissioners for their support and encouragement of safety, seat belts and child restraints. Mr. Wynn said he accepted this Certificate on behalf of the Board and presented it to Chairman Anderson.

Chairman Anderson advised budget work sessions would be held next week on Tuesday, Wednesday, Thursday and, if necessary, Friday from 12:00 p.m. to 2:00 p.m. each day.

Chairman Anderson asked for other business. Mr. Wood said there was one more item and presented Commissioner Hodges a lapel pin as recognition for his completion of requirements for a Certified County Commissioner.

Chairman Anderson said an Executive Session was need to discuss a legal matter.

Upon motion by Commissioner Alston, seconded by Commissioner Beacham and carried, the meeting was moved into Executive Session.

Regular session was reconvened. Mr. Wood updated the Board on plans for furnishing the new airport terminal. He advised there has been some very primary interest in corporate sponsorship to provide furnishings. He said he thought probably a meeting would be held and anyone who had an interest in sponsoring some of the cost would be invited.

Chairman Anderson advised work was being done on Rolling Woods Road because there wasn't another road where all the deed work was complete and efforts were to get another road paved this year. He said this road would take very little preparation. He said work was being done on Burkhalter but it seemed doubtful this road could be prepared and settle long enough to be paved this year.

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

Erly H. Wilson  
ATTEST

E. Raybon Anderson  
E. Raybon Anderson

May 16, 1995  
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 eighteen visitors. Commissioner Simmons gave the invocation.

Minutes of regular meeting on May 2, 1995 and minutes of Executive Session on May 2, 1995 were presented. Upon motion by Commissioner Alston, seconded by Commissioner Simmons and carried, minutes of these meetings were approved as distributed.

First item of old business was a Resolution on the Pension Plan. Chairman Anderson referred to Commissioner Lee to discuss this item. Commissioner Lee said, as the Board member of the Board of Trustees of the Pension Plan, the Trustees revisited the Resolution including the Board of Commissioners and the Chairman in the Pension Plan and it was his recommendation that Resolution be rescinded. He commented, he thought, the net result would be a benefit to the county employees.

Commissioner Lee offered a motion to approve the Resolution stating Board of Commissioners are not included in the Pension Plan. Commissioner Beacham seconded the motion. In discussion Commissioner Smith asked what would this action do to potential Commission candidates who are or have been involved in this Pension Plan. Mr. Jones explained being involved in the Plan wouldn't disqualify an employee from becoming a candidate, their status as a county employee would change. Mr. Wood said he thought the Personnel Policy prohibited a county employee from running for an elected office while being an employee. Mr. Franklin said that was correct, they would have to terminate their employment to run for elected office. Commissioner Hodges said he was under the previous Pension Plan when he was Coroner and continued while a Commissioner. Commissioner Lee said the old Plan was a voluntary, participation plan subsidized by the County, the new Plan is wholly funded by the County. Mr. Jones added the only participants in this Plan are permanent, regular full time county employees. Chairman Anderson commented other constitutional officers are not included.

Motion to approve Resolution not to included Board of Commissioner in Pension Plan carried. See exhibit #1995-15.

Chairman Anderson asked for other old business.

First item of new business was abandonment of county property. Chairman Anderson asked Staff Attorney Ken Jones to present this item. Mr. Jones presented a plat showing a proposed cul-de-sac off Burkhalter Road deeded to the County in 1990 and said the developers, Bill and Dennis Deloach, never built the road. He explained the developers' plans have changed and they will be building a new road which will comply all subdivision regulations, it will be a paved road approved by the County Engineer before accepted by the county. He said if the road is abandoned, it will revert to them and they can proceed with the new subdivision, build the new road and deed the new road to the County. He stated, under State Law, proposed abandonment will have to advertised for two weeks preceding the public hearing for the abandonment and there is time to meet this requirement before the next Board meeting.

Chairman Hodges offered a motion to proceed with legal requirements for

abandonment of property. Commissioner Smith seconded the motion. In discussion Commissioner Smith asked if the policy for accepting the new road required a certain number of lots be development before road was deeded to the county. Mr. Jones said that was correct, that requirement is in the Subdivision Regulations and road will meet all requirements before it's accepted. Motion to proceed with legal requirements for abandonment of property carried.

Chairman Anderson recognized Commissioner Simmons. Commissioner Simmons said a group of citizens were present to discuss a multi-use senior citizens' building. He called on Mr. James Canty, spokesman for the group.

Mr. Canty said this group were concerned citizens for a more progressive and advanced community and they felt many of their goals for a better community could be achieved by the development and building of a multi-purpose community building. He said they hoped this could become a reality through the Commissioners proving some funds with remainder of funds coming from State Grant. He remarked two of the county's most valued assets are its senior citizens and its youth. He said the building being used by the senior citizens is dilapidated, the head-start program doesn't have facilities to accommodate this program. He continued they felt this multi-purpose community building could serve many programs, Boy Scouts, Girl Scouts, after school programs, training of work force and others. He said the group asked the Commissioners give this request their upmost attention.

Commissioner Hodges asked if they had a site located. Mr. Canty said they had some ideas, but wanted the location to be accessible to everyone in the community.

Commissioner Smith asked if they had a peculiar grant identified. Mr. Canty said yes, based on \$15,000 - \$5,000 grant. Commissioner Simmons said grant was basically the same as grant received for Whitesville.

Chairman Anderson asked who would operate the building, what department of government.

Commissioner Hodges said he thought this would come under the Recreation Department, perhaps Commissioner Alston could discuss with the Recreation Board to see what buildings are available.

Chairman Anderson said there have been some discussions of such a building, it wasn't to the planning stage, just discussions between the City, the County and the Recreation Board.

Commissioner Alston said if the group had any plans or ideas, he will take them to the Recreation Board. He remarked he knew the Recreation Board was concerned about a upgrade of the present senior citizens' building and if that building is upgraded, it could be more than just a senior citizen's building.

Commissioner Simmons said he didn't think it matters to this group who would be responsible for the building, but they just want some input on location and programs, want to be included in development of building.

Ms. Donaldson, Head Start Program Coordinator, asked that the Head Start Program be considered in the development and plans for the building.

Chairman Anderson suggested this group also take their request to the City Council.

Commissioner Smith offered a motion to endorse this concept and a committee be formed to jointly move the concept forward. Commissioner Lee seconded the motion and it carried.

Chairman Anderson asked for other business or comments. Upon motion by Commissioner Simmons, seconded by Commissioner Smith and carried, the meeting

was adjourned subject to call.

  
E. Raybon Anderson

  
ATTEST

May 25, 1995  
Statesboro, Georgia

PUBLIC HEARING

The Board met at 5:30 P.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee, Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and twelve visitors. He asked Mr. John Scott to give the invocation.

Chairman Anderson announced the purpose of this Public Hearing was for discussion of the county's proposed 1995-1996 budgets. Proposed budgets were:

General Fund	-	\$11,976,468.
E911 Emergency Services	-	455,600.
Jail Add-on Fee	-	44,000.
Civil Defense	-	24,200.
Fire District	-	204,907.

Chairman Anderson asked for any discussion or comments on the budgets from the Commissioners.

Commissioner Lee commented on budget submitted by Superior Judges after budget workshops and asked if it compared with amount in the proposed budget.

Mr. Wood advised the request was \$13,000-\$14,000 higher than last year's budget and last year's amount was carried over into the proposed budget at the Judges' earlier suggestion.

Commissioner Hodges said if decided to change proposed amount for Judges' budget, is a motion needed.

Mr. Wood said he didn't think any official action would be taken in this meeting, this was just a meeting for discussion of proposed budget, any motion would be in a subsequent meeting. Mr. Wood added this meeting was discussion of the proposed budget and input from the public.

Chairman Anderson commented any change in proposed expenses would require a change to proposed revenues and source for additional revenues.

Chairman Anderson asked for input or comments from the public. Ms. Marion Hunter introduced herself as Vice President of the Citizens Against Violence. She said they were present on behalf of the battered women's shelter and commented on the serious problem of domestic violence. She recognized Ms. Sylvia Jones, Manager of the Shelter, to present their information.

Ms. Jones said their request was the county's participation in funding of the Shelter. She presented letters from the Superior Court and State Court Judges encouraging the Commissioners consider this request. She said a victim of domestic violence was present and would like to make a statement.

This person gave testimony of abuse and problems confronting women and children of domestic violence, these women usually can't just walk out - they have no place to go, no money. She said these women need help to get out of these situations, a battered women's shelter would give these women and children some place to go.

Commissioner Hodges asked if the Shelter would be used for people outside of Bulloch County. Ms. Jones said yes, people from the judicial circuit.

Commissioner Hodges asked if any other counties in the circuit responded to the request for funding. Ms. Jones said they held a fund raiser in Effingham County, but no commitment from counties.

Commissioner Hodges asked the total request, what was the request for Bulloch County.

Chairman Anderson said he and Commissioner Simmons had met with Mr. Denmark several weeks ago and asked for a budget to operate the Shelter for twelve months and showing each jurisdiction's share. He remarked that budget hadn't been presented.

Ms. Linda Smallwood presented a budget for operation of the Shelter with participation for the four counties and City of Statesboro based on population and showing Bulloch County's share of \$11,750.40 based on population of 27,271.

Mr. Wood questioned population shown for Bulloch County (27,271) and Statesboro (15,854). He said he thought the population shown for the City of Statesboro was low about 10,000 with population for Bulloch County being high about 10,000.

Ms. Smallwood reviewed the total budget of \$97,168 and give sources of funding which showed \$39,168 coming from four counties and City of Statesboro. She said if the population figures for Bulloch County and City of Statesboro was wrong, then Bulloch County's share would decrease slightly.

Commissioner Smith comment he would like to see Bulloch County fund its share prorated on correct population figures.

Commissioner Hodges said he agreed with Commissioner Smith. He referenced the Judges' letter, saying he would like for a letter to go to the Judges saying Bulloch County's supported this Shelter but would like for them to consider setting fines for people charged with this offense to go toward this Shelter.

Commissioner Hodges asked if Board agreed to fund Bulloch County's share, revenues to met this amount would have to be found or some expenses cut before the Board approved the budget at its next meeting. He asked Mr. Wood if he had some ideas of how this could be handled.

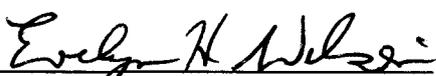
Mr. Wood said he thought it could be handled, some adjustments could be made, but calculation of total \$18,581.30 for Bulloch County and City of Statesboro would be based on correct population ratio.

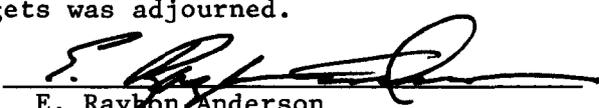
Chairman Anderson said the Board would do what it could to support this this program. He asked for other discussion for the proposed 1995-1996 budget.

Commissioner Hodges asked if Board considered increase in Judges' budget as requested, would another \$13,000 in revenues be found or equivalent cuts in expenses to fund the additional amount.

Chairman Anderson said he personally didn't know where this amount could come from other than raising taxes. He remarked everyone, including the Judges, was told in February that April 15th was the date to have budgets submitted.

Chairman Anderson asked for other discussion. Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, Public Hearing for the proposed 1995-1996 budgets was adjourned.

  
ATTEST

  
E. Raybon Anderson

June 6, 1995  
Statesboro, Georgia

PUBLIC HEARING

The Board met at 5:55 P.M. in the Community Room of the North Main Annex with Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee, Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and visitors.

Chairman Anderson announced the purpose of this Public Hearing was for discussion of road abandonment. He asked Staff Attorney Ken Jones to give details of this abandonment.

Mr. Jones referenced Board approval in the last meeting to proceed with legal advertising for abandonment of this public road deeded to the county in April 1990. He explained this road was purposed for planned subdivision off Burkhalter Road but plans for that subdivision was abandoned and road was never built. He continued the developers have proposed a different subdivision and a different road alignment. He said the developers are requesting the deeded road be abandoned by the county and revert to them, when new subdivision and new road are built and road meets all county requirements as outlined in the Subdivision Regulations then it will be deeded to the county.

Chairman Anderson asked for any public discussion of the road abandonment. Mr. Wallace Wright, Attorney for developers, said their request was for abandonment of a road deeded prior to Subdivision Ordinance, there was only one other property owner adjoining the road and that person had signed an agreement agreeing to the abandonment.

Chairman Anderson asked for other discussion for the road abandonment. Upon motion by Commissioner Hodges, Commissioner Alston and carried, Public Hearing for road abandonment was adjourned.

  
ATTEST

  
E. Raybon Anderson

June 6, 1995  
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 Beacham gave the invocation.

Minutes of the regular meeting on May 16, 1995 and minutes of Public Hearing on May 25, 1995 were reviewed. Upon motion by Commissioner Alston, seconded by Commissioner Simmons and carried, minutes of these two meetings were approved as presented.

The first order of old business was action for abandonment of road deeded to county in 1990 which was never built. Chairman Anderson said this was discussed at the Public Hearing and asked for any further discussion on this issue.

Upon motion by Commissioner Hodges, seconded by Commissioner Smith and carried, this road which was never built was abandonment and reverted to subdivision developers. See exhibit #15A

Next item of business was discussion and final approval of the Bulloch County budgets for fiscal year 1995-1996. Chairman Anderson said these budgets had been presented in the Public Hearing on May 25th. He asked for discussion of the proposed budgets.

Mr. Wood remarked, as result of and since the Public Hearing, two items totaling \$9955 have been removed from the budget and that amount appropriated to Victim Witness Program. Mr. Wood commented that he and Chairman Anderson had discussed and now recommended that this appropriation be contained in a contract since Victim Witness Program is not technically a governmental entity.

Commissioner Hodges asked what happens if Bulloch County commits \$9955 and none of the other counties in the Judicial District make a commitment, will the \$9955 still be disbursed.

Chairman Anderson said the only reason it wouldn't be disbursed is if the program is cancelled due to inadequate funding. He clarified the funds would not be disbursed as a whole but on a prorated monthly basis.

Chairman Anderson asked for other discussion. Commissioner Smith offered a motion to approved budgets for fiscal year July 1, 1995 - June 30, 1996 as revised. Commissioner Beacham seconded the motion and it carried. Budgets approved for July 1, 1995-June 30, 1996:

General Fund	-	\$11,796,468.
E911 Emergency Services	-	455,600.
Jail Add-on Fee	-	44,000.
Civil Defense	-	24,200.
Fire District	-	204,907.

Chairman Anderson remarked appropriations were in the budget for the Victim Witness Program and the County Manager and Staff Attorney have recommended this funding be handled through a contract.

Commissioner Beacham offered a motion for approval of a contract for budget appropriations for Victim Witness Program. Commissioner Smith seconded the motion and it carried.

Next item for consideration was downtown street lighting. Chairman Anderson asked Mr. Wood to give details.

Mr. Wood remarked this request for county participation in decorative street lighting had been discussed in an earlier meeting and referenced a letter dated January 17, 1995 from Mr. Jarell Jones. He commented, if the Board approved this request, funding would come from the present (FY 95) budget. He added it is his understanding the county funds would be used in cost of lights on Courthouse Square.

Commissioner Smith offered a motion to approve \$10,000 for decorative street lights with stipulation that light placement be coordinated with progression of work at courthouse. Commissioner Simmons seconded the motion and it carried.

Chairman Anderson presented the next item, intergovernmental contract with City of Statesboro for Recreation Department. He said this contract was discussed and approved in a previous meeting but legal counsel advised that contract should be an intergovernmental contract because multi-purpose sales tax funds were involved.

Commissioner Hodges offered a motion to approved resolution to enter into an intergovernmental contract with the City of Statesboro for county-

wide recreation program. Commissioner Beacham seconded the motion. In discussion Commissioner Beacham comment this was basically the same as the contract previously approved. Mr. Wood said yes, some wording was added clarifying employee benefits for present employees as well as future employees. Commissioner Beacham commented on, and there was some additional discussion, on item 3 of the contract. Motion to approved resolution to enter into intergovernmental contract with City of Statesboro for county-wide recreation carried. See exhibit #1995-16.

Chairman Anderson asked Mr. Wood to present the next item, airport grant for runway extension. Mr. Wood explained a grant application to FAA was made some time ago for runway extension which requires 5 percent participation of total cost, grant is 90% federal funds, 5% state funds and 5% local. He said the county share (2.5%) is approximately \$30,000.

Upon motion by Commissioner Beacham, seconded by Commissioner Hodges and carried, resolution for appropriations of \$30,000 for airport runway extension project was approved. See exhibit #1995-17.

Chairman Anderson asked for other old business.

The first items of new business were presentation of rezoning requests. Chairman Anderson asked Mr. Jimmy Dodgen to present these requests.

The first rezone request was by Ullis Bellinger. Mr. Dodgen explained that Mr. Bellinger was requesting rezone of property located on Club Road off R.L. Road from Ag-5 to General Commercial. He said Mr. Bellinger planned to reopen a "club" which is located on 6.54 acres and if it's rezoned for General Commercial a beer and wine license can be obtained as a conditional use. Mr. Dodgen commented this "club" has been opened and closed at intervals for some thirty-five years. Mr. Dodgen advised the property was posted and adjacent land owners received required notices, no opposition was received in reference to this rezoning request. He stated the Planning and Zoning Commission recommended denial of this rezoning request because of traffic through an existing community near this club.

Commissioner Hodges asked if there was more than one access to this club. Mr. Dodgen said yes, there were two routes to the club, one was through an open area with no residences.

Commissioner Beacham asked if the club was in operation now, someone had said its been operating for thirty-five years. Mr. Dodgen said the club had been open and closed at intervals, there was no record of a beer and wine license for the club back to 1990, prior to that he didn't know. Mr. Dodgen said according to zoning maps the club was not open when zoning was enacted. Commissioner Hodges said he thought the club had been opened but did not have a beer and wine license and supposedly they weren't selling alcohol but people were allowed to bring it in.

There was some discussion of the club being opened or closed. Chairman Anderson asked if club was open on November 4th, date of zoning enactment. Mr. Bellinger said yes, it was operated by his sister at that time. Mr. Dodgen commented that this is the first time there has been any indication the club was opened when zoning was enacted.

Commissioner Hodges asked should the zoning classification should be changed if the club was open at time of zoning enactment.

Mr. Jones said he thought that would be advisable, change it to the zoning classification that basically it is. He said this would be a correction to the zoning map.

Commissioner Hodges offered a motion to approved request of Mr. Ullis Bellinger for rezone from Ag-5 to General Commercial. Commissioner Beacham seconded the motion. In discussion Commissioner Beacham asked Mr. Nesmith, Chairman of Planning and Zoning Commission, if they were aware the club was open. Mr. Nesmith said they had no knowledge the club was opened or had been opened, this was not mention when application for rezone was submitted to the Planning and Zoning Commission. He said their concern was increased traffic through the community and the safety and welfare of children and people in the community. Commissioner Smith voiced concerned of this club being in an established neighborhood and asked regulations of control for an establishment selling beer and wine. Mr. Jones reviewed regulations for beer and wine licenses and said general commercial and highway commercial zones allow on and off premise sales of beer and wine licenses. Commissioner Alston said he thought Mr. Bellinger should be aware of the Board concerns about traffic and close proximity of the community, perhaps Mr. Bellinger had some ideas on how to divert the traffic to get to his club. Chairman Anderson said Mr. Ted Wynn could assist Mr. Bellinger with some solution.

Motion to approve request of Mr. Ullis Bellinger for rezone of 6.54 acres from Ag-5 to General Commercial carried with Commissioners Alston, Simmons, Beacham, Hodges and Smith voting in favor of the motion and Commissioner Lee voting to oppose the motion.

The next rezone request was for Mr. John Michael Kendrick. Mr. Dodgen explained Mr. Kendrick was requesting 6.0 acres on Mud Road and County Road #355 be rezoned from Ag-5 to General Commercial. He added Mr. Kendrick planned to open a convenience type store and game room and would like to sell beer and wine, if property is rezoned then Mr. Kendrick would apply for conditional use for the purpose of selling beer and wine. He said during the Planning and Zoning Commission meeting Mr. Kendrick dropped the game room from the request. Mr. Dodgen said there quite a bit of opposition to the rezone request in the form of letters, petitions, telephone calls and people present at the Planning and Zoning Commission meeting. He said the Planning and Zoning Commission recommended denial of this rezoning request.

Chairman Anderson recognized Mr. Randy Anderson, attorney for Mr. Kendrick. Mr. Anderson said Mr. Kendrick had 180 signatures of support from people living within three to four miles of location of proposed convenient store. He added Mr. Kendrick also had unsolicited letters of support from three people and read portions of these letters. Mr. Anderson said the nearest convenient store to this location was about 6.8 miles and Mr. Kendrick felt this store would be a convenience to the residents in this area. Mr. Anderson said this was not a congested area, a few residence nearby, no churches or schools nearby and he thought there would be no increased noise level.

Commissioner Simmons asked if the game room had the biggest opposition. Mr. Anderson said Mr. Kendrick knew there was a lot of opposition to the game room so he dropped it from his request.

Commissioner Hodges asked if the store would be in Mr. Kendrick's name. Mr. Anderson said yes. Commissioner Hodges asked if Mr. Kendrick could get a beer and wine license. Mr. Anderson said he would apply for a conditional use permit in order to apply for a beer and wine license.

Commissioner Smith said if Mr. Kendrick was willing to sign statement stating game room would not be built. Mr. Anderson said yes, he would do that.

Chairman Anderson asked if this statement would be permissible. Mr. Jones said it would be fine from Mr. Kendrick but it wouldn't be binding, if Mr. Kendrick ever sold the property and it was zoned as General Commercial, the new owner wouldn't be bound by Mr. Kendrick's statement.

Mr. Dodgen explained there was a classification of Neighborhood Commercial which would allow a convenient store and sale of beer and wine off premises but a game room would not be allowed. He said, with the fact that the game room was out of the question, the Neighborhood Commercial would have been a better choice. He added he didn't think a change of request to Neighborhood Commercial could be done in this meeting, it would have to go back to the Planning and Zoning Commission.

Commission Alston asked why not take the request back to the Planning and Zoning Commission, could Mr. Kendrick do that. Mr. Jones said yes, he could withdraw his request in front of the Board of Commissioners before the Board approves or denies the request. He said the application process could start again immediately as long as the Board of Commissioners has not voted, but if Board did vote and denied the request, then Mr. Kendrick would have to wait six months to make application for another rezone. Mr. Jones cited this Code section with regulations.

Mr. Anderson asked if Neighborhood Commercial prevented Mr. Kendrick from requesting a conditional use. Mr. Dodgen said no, everything he wanted was allowed under this classification, but a game room wasn't allowed.

Chairman Anderson recognized Mr. Mike Brown. Mr. Brown was spokesman for a large delegation opposing the rezoning request. He presented petition from property owners in the immediate areas and also letters of public concern. Mr. Brown said one problem was misrepresentation Mr. Kendrick made in his initial application, once he found there was opposition to the game room and beer and wine license, he dropped the game room at the Planning and Zoning Commission meeting. He said part of their concern is, if this is rezoned as Commercial, he can apply for a permit at a later date and put something on the property without going back to the Commission. He said they had a good rural community, have a moderate traffic flow, and they are concerned this store will draw people in from outside the area and increase traffic.

Several members of the community voiced opposition to rezoning for convenient store. They stated they moved to this area to live in the country, to get away from traffic, noise and other undesirable elements, they didn't consider this store as a convenience, they would have settled in another area if they wanted convenience. They asked the Board to listen to their request to preserve their rural community.

A couple of people spoke in favor of the rezone to allow a convenience store to prevent people have to drive a distances to other stores which were crowded and not convenient, the community needed this benefit.

Chairman Anderson asked for action on this request. Attorney Randy Anderson asked for a minute to consult with his client.

Attorney Randy Anderson motioned that the Board of Commissioners not vote on this rezone request, Mr. Kendrick will resubmit an amended request for zoning change to the Planning and Zoning Commission.

With withdrawal of rezoning request by Mr. John Michael Kendrick, no Board action was necessary.

Next rezone request was by Mill Creek Construction. Mr. Dodgen explained Mr. Danny Woodrum was applying for 9.09 acres zoned R-40 to be

rezoned to R-25. He said this property was Lot #9 of Millstone Subdivision and intent of the rezone request was to combine this property with Woodrum Road Partners Development which is zoned R-25. He said there was some opposition from neighbors in Millstone Subdivision, opposition being the lots in Millstone were larger lots and this would decrease value of their lots. He said the Planning and Zoning reviewed this request carefully and recommended approval of the rezone request.

Chairman Anderson asked for any public comment on this rezone request.

Commissioner Smith offered a motion to approve rezone request for Mill Creek Construction for 9.09 acres to R-25. Commissioner Alston seconded the motion and it carried.

The next rezone request was by Abundant Life Pentecostal Holiness Church. Mr. Dodgen explained this property was located on County Road #661 off Highway 67 and was presently zoned Ag-5. He said there had been a church on the property, the building was still there but was no longer used as a church. He continued the request is to change zoning from Ag-5 to LI (Light Industrial) for purpose of operating a vinyl siding business. Mr. Dodgen remarked this area is mostly residential and residents of the area voiced concerns of truck traffic, roadway was not sufficient to handle truck traffic and property devaluation. He said the Planning and Zoning Commission recommended denial of this rezoning request.

Commissioner Hodges offered a motion to accept Planning and Zoning Commission's recommendation and deny rezone request by Abundant Life Pentecostal Holiness Church. Commissioner Simmons seconded the motion. Chairman Anderson asked for discussion. Motion to deny rezoning request carried.

The next item was zoning conditional use request by Mr. Robert C. Bryan. Mr. Dodgen explained Mr. Bryan had make application for zoning conditional use to place a shooting range on 160 acres of his property on Old Register Road. He said the shooting range would be located primarily in the center of the property and the zoning ordinance allows recreation facilities in an Ag-5 zone with some restrictions. He commented adjacent property owners had concerns of noise level, hours of operation and location of the shooting range and presented petitions and letters opposing location of this shooting range. He added there were three churches in the area which were also opposed. He concluded the Planning and Zoning Commission recommended denial of this conditional use request.

Chairman Anderson recognized Mr. Bryan. Mr. Bryan said he was proposing shotgun shooting as a sport, skeet is an Olympic event. He gave operation hours would be Tuesday through Sunday with nights shoots hosted on Wednesday, Fridays and Saturdays. He said shooting would be shotguns only, no rifles or pistols would be allowed and no alcohol beverages would be allowed. He explained the range would be on five acres approximately in the center of the 160 areas with natural buffers. He said he had contacted the churches and would work with the churches to close the range during church hours and meetings.

Commissioner Hodges asked what arrangement would be made on days when funerals or other unscheduled events are held at the churches.

Mr. Bryan said, with advance notice, shooting range would be closed. He said the nearest shooting ranges were in Savannah and Augusta and he thought this range would be good for Bulloch County.

Chairman Anderson recognized representatives of Lower Lotts Creek

Church. Mr. Lamar Trapnell and Mr. Neal Bowen made comments on concerns of the noise level and said this was their main opposition was the noise level and scheduling of church events would be difficult. They explained church events are not always scheduled well in advance also there is a large church cemetery where grave side services are held without church having prior knowledge.

A property owner across from proposed site voiced opposition to the shooting range because of the noise level, saying they lived there every day, he might work around the church schedules, but they would have the noise every time shooting occurred.

Commissioner Hodges said he would like to see Bulloch County have such a shooting range but he couldn't support it being near a church or cemetery.

Commissioner Lee agreed, he thought it would be good for the community but couldn't support this location.

Commissioner Hodges offered a motion to deny conditional use request by Mr. Robert Bryan. Commissioner Smith seconded the motion and it carried.

Chairman Anderson presented the next item for discussion, Beer and Wine License transfer.

Commissioner Alston offered a motion to approve a transfer of Beer and Wine License transfer for Mr. Wallace W. Tennison of Ellis Bar & Grill, Inc. Commissioner Simmons seconded the motion and it carried.

Next item for discussion was bid results and recommending for road paving contract. Chairman Anderson referenced memo from County Engineer Kirk Tatum which gave details of bids. Bids received were:

Carnes Construction	- \$469,526.96
Everett Dykes Construction	- 340,050.12
Littlefield Construction	- 329,269.44
E.A. Mann Co.	- 308,188.12

Commissioner Smith offered a motion to accept recommendation of Mr. Tatum and award bid to E.A. Mann Company. Commissioner Beacham seconded the motion and it carried.

Chairman Anderson reviewed the revised paving priority list and an update on status of all the roads on the priority list.

There was some discussion of the order in which the roads were shown on the list and if this order should be rearranged or some roads deleted because of difficulty in obtaining right-of-way. It was decided order would be remain as listed with understanding that roads would be paved in order in which right-of-way is obtained.

Upon motion by Commissioner Beacham, seconded by Commissioner Smith and carried, Paving Priority List was accepted as presented. See exhibit #1995-18.

Chairman Anderson asked for other business or comments. Commissioner Alston commented on Jim Higdon, Commissioner of Department of Community Affairs, visiting Bulloch County during May and his comment that Bulloch County's participation in the Altamaha Georgia Southern RDC was vital for that RDC to survive.

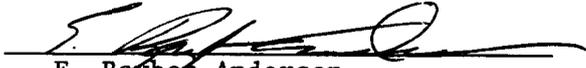
Chairman Anderson asked Mr. Ted Wynn to comment on GEMA funding to Bulloch County. Mr. Wynn said, thanks to efforts by many people, Bulloch County would received another \$33,000 from GEMA because of damage caused by the flooding in October.

Chairman Anderson recognized Mr. Bob Smith, Environmental Manager, to give update on recycling. Mr. Smith said there were two education programs

ready to begin, Union Camp has donated trailer to be used as mobile class room for education purposes around the county and two television ads showing recycling program in Bulloch County will be shown on local cable station. Video of the two ads were viewed and Mr. Smith explained that a major portion of cost of this advertising would be paid by grant from EPD.

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

  
ATTEST

  
E. Raybon Anderson

June 20, 1995  
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 Hodges gave the invocation.

Minutes of the public hearing on June 6, 1995 and minutes of the regular meeting on June 6, 1995 were presented. Upon motion by Commissioner Beacham, seconded by Commissioner Alston and carried, minute of these two meeting were approved as distributed.

Chairman Anderson asked for any old business. There was no old business for discussion or action.

Chairman Anderson presented the first item of new business, Library Board Appointment, and referenced letter from Ms. Nancy Ray, Library Director, which explained the term of Ms. Sheron Bolen would expire on July 1, 1995. Ms. Ray's letter also stated that Ms. Bolen was willing to serve another term and requested she be reappointed to serve term from July 1, 1995 to June 30, 1998. Chairman Anderson asked for discussion of this Library Board appointment.

Upon motion by Commissioner Smith, seconded by Commissioner Alston and carried, Ms. Sheron Bolen was reappointed to serve on Library Board from term from July 1, 1995 to June 30, 1998.

Next item of business was appointment for the Department of Family & Children Services Board. Chairman Anderson presented a letter from Ms. Elizabeth Tankersley, County Director, which explained the term of Ms. Rosalyn Roesel was expiring on June 30, 1995 and requested an appointment for term from July 1, 1995 to June 30, 2000. Chairman Anderson asked for discussion of the Department of Family and Children Services Board appointment.

Upon motion by Commissioner Hodges, seconded by Commissioner Simmons and carried, Ms. Rosalyn Roesel was reappointed to serve on Department of Family and Children Services Board for term from July 1, 1995 to June 30, 2000 providing Ms. Roesel is willing to serve this term.

Chairman Anderson asked Mr. Wood to present the next item, three revisions for the Personnel Policy. Mr. Wood referenced memorandum explaining these revisions, first change was a formal definition of "part time" employees, second change was a definition of "sexual harrassment" and third change was the addition of a formal "sexual harrassment" policy which

had been recommended by attorneys and insurance carrier. He asked for any question.

Commissioner Beacham referenced "part time" employees and said he thought twenty hours per week was breakpoint for "part time", amendment referenced thirty-two hours per week.

Mr. Wood explained the federal guidelines are thirty-two hours per week and the county has employees who might regularly work more than thirty-two hours who need to be considered "part time".

Mr. Steve Rushing commented there is some Law for other type of retirement plans but those do not affect governments. Mr. Ken Jones added the Federal Retirement Law is one thousand hours per year which is roughly twenty hours per week but that is not applicable to county government.

Commissioner Hodges offered a motion to accept the three Amendments to the Personnel Management System, Personnel Policies. Commissioner Beacham seconded the motion and it carried. See exhibits #1995-18, #1995-19, #1995-20.

Next item for discussion was change of road names from Johnny Brannen Road and P.B. Brannen Road. Chairman Anderson advised the citizens of this community feel there was probably a mix-up when these roads were named and ask names on these two roads be swapped.

Question was asked if there was any opposition to this change. Commissioner Smith said he had heard of no opposition to this change and the roads were probably misnamed in the beginning.

Commissioner Alston offered a motion to swap the road names of Johnny Brannen Road, CR #122, and P.B. Brannen Road, CR #126. Commissioner Smith seconded the motion and it carried.

The next item was bid results and recommendation for paving at Perimeter South Industrial Park. Chairman Anderson explained this paving would be funded by the State and the Development Authority, the County will not be involved in funding which has been documented by a letter from Ms. Peggy Chapman.

Bids received for this paving were: Reeves Construction - \$80,728.40 and Ellis Wood Contracting - \$65,737.60

Commissioner Hodges offered a motion to accept the bid from Ellis Wood Contracting, \$65,737.60, for paving at Perimeter South Industrial Park. Commissioner Beacham seconded the motion and it carried.

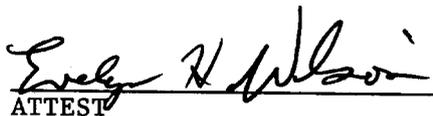
Chairman Anderson stated the next regular scheduled Board meeting fell on Tuesday, July 4th, and needed to be rescheduled. He said rescheduling was discussed with the Zoning Department because of need for advertising of hearings for Zoning and it was suggested the meeting be held on Wednesday, July 5th.

Due to conflict in several Commissioners' schedules other dates for the meeting were discussed. Chairman Anderson said cancelling the meeting had been considered but wasn't because of Zoning Department. Mr. Wood said the Zoning Department had only one item for this meeting and because of the individual involved he thought this item could be carried over to the following meeting. Mr. Jones said the one zoning item could be deferred to the following meeting.

Commissioner Beacham offered a motion to cancel the next Board meeting scheduled for Tuesday, July 4th. Commissioner Simmons seconded the motion. In discussion Commissioner Hodges said the following meeting was a morning meeting, would having a Zoning Hearing in a morning meeting present a

problem. Chairman Anderson said there was only one item for consideration which shouldn't be a problem but it should be made known that this was an exception, not a rule, and that Zoning hearings were held at the evening meeting. Motion to cancel the meeting scheduled for Tuesday, July 4th, carried.

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

  
 ATTEST

  
 E. Raybon Anderson

July 18, 1995  
 Statesboro, Georgia

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

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

Minutes of the regular meeting on June 20, 1995 were reviewed. Upon motion by Commissioner Smith, seconded by Commissioner Beacham and carried, minutes of June 20, 1995 meeting were approved as distributed.

Chairman Anderson presented the first item of old business, intergovernmental contract with City of Statesboro for the Recreation Department. He remarked this contract had been discussed and initially approved in two previous meetings and forwarded to City Council for their consideration. He continued the first time it was forwarded the Council rejected it as written and made suggested changes, these changes were made, approved and returned to the Council, the contract has been returned again with other suggested changes.

Commissioner Smith commented he thought the Commissioners had worked hard to cooperate with City Council on many items in the past, including this item. However, he thought there might be some difference of opinion amount City Council, but basically they were saying they wouldn't agree to continue their current level of funding (some 20% of the total budget). He said at one time funding was split 50-50, now the county funds 80% and he saw this as an attempt to drop remaining funding. He remarked he was not in favor of approving the contract as currently stated with changes they have requested.

Commissioner Beacham said he served on the ad hoc committee which initiated this contract and he thought, in committee, they had agreed to original concept with continued funding and participation, but it seems they want to withdraw.

Chairman Anderson asked for some direction on this issue. He commented the change they have suggested is immaterial. He advised he had met with the Mayor on this issue and the Mayor was aware that he wasn't happy with the circumstances. He added he had discussed the issue with several Councilman individually.

Commissioner Beacham said they couldn't bind future Councils, although they do to some extent, but if they want to get out, it's almost like default. He commented he didn't know the Commissioners had a option, might table the issue until it can be worked out.

Commissioner Lee said he thought it would be to everyone's advantage for the Recreation Department to come under the County's supervision but he didn't think this contract should be finalized without more discussion.

Commissioner Smith offered a motion to table action on the intergovernmental contract until the ad hoc committee can reconvene and finalize a contract that is acceptable to all parties. Commissioner Simmons seconded the motion and it carried.

Moving into new business, Chairman Anderson said another matter concerning Recreation was the CDBG Application and this item was being presented as information for the Board. He continued there is some discussion with the City for a Senior Citizens Center and if grant application is completed, a Public Hearing will have to be held before the end of the month. He asked Mr. Wood to comment on this project.

Mr. Wood said this will require joint support from the City, the Mayor and City Administrator have been fully supportive of the proposal. He said the facility will be a 5900 square foot building, primarily site being reviewed is adjacent to the Honey Bowen Building on Fair Road.

Commissioner Beacham remarked that CDBG grants usually require local cash match. Mr. Wood said that was correct and in this case a private individual, who wishes to remain anonymous, will provide the cash match.

Chairman Anderson asked Mr. Dodgen to present next item, Rezoning Request. Mr. Dodgen said Mr. Lee Deloach was requesting rezoning of approximately 12 acres on Isaac Akind Road from classification of Ag-5 to R-40. He stated a plan for a mobile home rental community had been approved for this property prior to Zoning being enacted but the plan has been resubmitted for single family residential community which will greatly reduce the density and this is one of the reasons the Planning and Zoning Commission recommended approval of this request.

Commissioner Beacham offered a motion to approve Rezoning Request of 12 acres from Ag-5 to R-40 for Mr. Lee Deloach. Commissioner Smith seconded the motion and it carried.

Next item for discussion was building plans for Mill Creek Park. Chairman Anderson referenced memorandum from Mr. Wood explaining the need for a maintenance shelter at Mill Creek Park and setting forth conditions for funds appropriation. He asked for discussion.

Commissioner Lee asked what funds were remaining in the multi-purpose sales tax program for recreation.

Mr. Wood advised all funds in the first program for recreation had been expended, but almost all funds for recreation remain in the second program, there was an agreement when the current sales tax program was initially constructed that recreation funds from this current sales tax would come at the "tail-end" of the program. He said the reason behind this agreement was that recreation got so much of funding on front end of first sales tax program and there projects such as courthouse, jail, etc. that haven't been funded.

Commissioner Lee said he agreed a maintenance shelter was needed at Mill Creek and but before any funds are released he would like to see the Recreation Board develop a formal plan for capital improvements for recreation throughout the county, particular the rural areas.

Chairman Anderson said that was part of the agreement also, the Recreation Board made a commitment that half of monies set aside for recreation would be spent updating the rural facilities.

Commissioner Beacham commented the boat ramps were definitely a part of

recreation in the county and the Commissioners have with dealt some of these directly. He suggested the boat ramps become part of the Recreation Department management.

Commissioner Lee offered a motion to ask the Recreation Board to formalize a building plan for a maintenance shelter at Mill Creek and also formalize a plan for capital expenditures to address recreational needs in rural areas, the Commissioners will review the building plans at the same time the plan for expenditure for balance of sales tax program funds is reviewed. Commissioner Beacham seconded the motion. In discussion Commissioner Beacham asked if boat ramps were included in overall plans. Commissioner Lee said he thought it was a good idea to put ramps under their management, that should be something they address when they consider the rural areas. Commissioner Smith added boat ramps could be included in formalized plans for rural areas. Chairman Anderson asked if boat ramps should included landings. Mr. Wood commented the use of the word "management" of boat ramps was broad, a lot of the "management" the Recreation Department couldn't do, he recommended they be asked to make a review of capital improvements that would be in order at boat landings as part of their total plan and not use the word "management".

Motion to ask the Recreation Board to formalize a building plan for maintenance shelter and formalize a plan for capital expenditures to address recreational needs in rural areas, including needed capital improvements for boat ramps and landings, for Commissioners' review was carried.

Next item for action was bid results and recommendation for paving at Ogeechee Tech. Chairman Anderson advised this would be a county contract with Department of Transportation funding and State Department of Technical and Adult Education paying amount exceeding D.O.T. funding. He referenced memorandum from Mr. Tatum, County Engineer, which gave bids from; Reeves Construction - \$72,167, Shuman Construction - \$68,950 and Ellis Wood Contracting - \$53,600.

Commissioner Beacham offered a motion to accept the bid of \$53,600 from Ellis Wood Contracting as recommended by Mr. Tatum. Commissioner Smith seconded the motion and it carried.

Chairman Anderson referenced the next Commissioners' meeting scheduled for August 1st and said he had a schedule conflict on this date. There was some discussion of changing the meeting date. Chairman Anderson advised some Zoning matters had been advertised for this meeting and he asked Mr. Dodgen to comment.

Mr. Dodgen said two zoning matters had been advertised for this meeting and if the meeting is rescheduled, a newspaper advertisement notifying everyone of the change would have to run and new advertisement of new date would be run. He added, probably, would need to ask permission from parties involved to rescheduled because it has been posted and advertised. Mr. Jones commented that would be prudent.

After some discussion Commissioner Smith offered a motion to change first meeting in August to Thursday, August 3rd. Commissioner Lee seconded the motion and it carried.

Chairman Anderson said an item for discussion not on the agenda was a Resolution Adopting a Flexible Benefits Plan. He commented this is a "Cafeteria" plan for county employees health insurance plan and the plan has been reviewed by Commissioner Lee and Mr. Jones.

Commissioner Lee commented this is an IRS requirement to qualify for this type benefit plan, this doesn't make any change in insurance plans, it's just

a formal resolution for IRS to recognize the flexible benefit plan.

Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, Resolution Adopting a Flexible Benefits Plan was approved. See exhibit #1995-21.

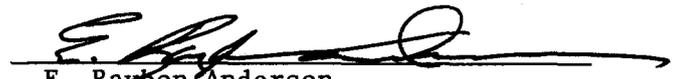
Chairman Anderson asked for other business or comments. Mr. Wayne Franklin asked status of proceeding on Settlement Road. Chairman Anderson referred this question to Mr. Jones.

Mr. Jones advised that Bulloch County and Evans County had made a response to the Judge's questions at final hearing and are awaiting on response from other party's attorney. Mr. Jones said, basically at this point, it's in the hands of the Judge.

Chairman Anderson asked for other comments. Mr. Wood introduced Mr. Brad Simmons, who is doing intern work with the County.

There being no other business, upon motion by Commissioner Simmons, seconded by Commissioner Smith and carried, the meeting was adjourned subject to call.

  
ATTEST

  
E. Raybon Anderson

August 3, 1995  
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 Hodges and Commissioner Lee present. Commissioner Beacham and Commissioner Smith were absent.

Chairman Anderson called the meeting to order and welcomed the news media and 40+ visitors. Commissioner Alston gave the invocation.

Minutes of the regular meeting on July 18, 1995 were presented. Upon motion by Commissioner Simmons, seconded by Commissioner Lee and carried, minutes of this meeting were approved as distributed.

Chairman Anderson asked for any old business, there was none referenced on the agenda.

With no old business for discussion, Chairman Anderson asked Mr. Jummy Dodgen to present the first item of new business, Conditional Use Zoning Request.

Mr. Dodgen said in an early meeting Mr. Ulis Bellinger had requested and had been granted a property rezone to general commercial on property located on Club Road off R.L. Lee Road. He continued now, as required, he was applying for a Conditional Use Permit to allow the sale of beer and wine. Mr. Dodgen advised the Planning and Zoning Commission recommended granting this Conditional Use request.

Commissioner Hodges offered a motion to approve the Conditional Use Request for Mr. Ulis Bellinger. Commissioner Alston seconded the motion and it carried.

Chairman Anderson asked Mr. Dodgen to present the next item, Rezone Request. Mr. Dodgen said Mr. John Michael Kendrick had previously applied for general commercial zoning change, Ag-5 to General Commercial, which was withdrawn. He continued Mr. Kendrick was now applying for rezone of six acres from Ag-5 to Neighborhood Commercial. He advised the property was located on

Mud Road approximately 1 mile west of Arcola Crossroad. He said the intent of this rezone was to build a convenient type store on the property. Mr. Dodgen stated the Planning and Zoning Commission recommended denial of the zoning change because they felt it was not in compliance with the long range master plan, Comprehensive Plan, they felt this was an agricultural and residential zone and commercial establishment should not be allowed there. He added, while Mr. Kendricks did have people at the zoning meeting which support the request, there was quite a bit of opposition from people in the area.

Commissioner Hodges asked if the adjoining property owners were present at the zoning meeting.

Mr. Dodgen said that question was a tough to answer, both sides say the adjoining property owners are on their side. He commented there were numerous petitions both for and against. Mr. Ken Jones added there was inclusiveness as to the position of adjacent property owners.

Commissioner Hodges asked how adjacent property owners were notified of a zoning change. Mr. Dodgen said they were notified by certified mail.

Commissioner Hodges asked if any of these property owners had responded in writing. Mr Dodgen said numerous petitions were received but no specific letters were received.

Chairman Anderson recognized Mr. Randy Anderson, Mr. Kendrick's attorney.

Mr. Anderson said they had previously presented a petition with 180 signatures, all in favor of the convenient store, and all of these people lived within three miles of the proposed store. He presented another petition was an additional 32 signatures in favor of the store, again these people all lived within three miles of the proposed store. He presented aerial photos with locations marked of property owners who have no opposition to the proposed store. He said he didn't know if what he planned to propose next was allowable, the original request was for rezone of six acres, but Mr. Kendrick says all he really needs is two acres. He asked if the rezone request be changed to two acres.

Mr. Dodgen said that would constitute a split parcel zone which isn't allowed. He explained a survey of the two acres would have to be presented prior to the request.

Mr. Jones stated two acres surveyed out of the six acre tract would leave a four acre tract, this would create a substandard lot in an AG-5 zone.

Mr. Anderson said he would like to answer some of the issues voiced by people opposing this request: noise level should not increase to any degree; no great increase in traffic, some, but no great increase; property values shouldn't be effected; people who drink and drive will drink and drive regardless of where obtain beer and wine; distance from Sheriff's Department doesn't make any difference, convenient store won't bring in non-law abiding citizens, there will no drinking on the premises. He concluded, he didn't think, any of their contentions were valid. Mr. Anderson read about eight letters from people in favor of the proposed convenient store.

Mr. Dodgen referenced the petitions presented by Mr. Anderson and asked the radius of people who signed the petition. Mr. Anderson said these people lived within three miles, this is what he was told.

Mr. Dodgen asked if he was sure about the three miles. He commented he knew very few people on the petition and knew where very few of them live, but he did see names of some people who he believed did live further than three miles, they are in the area, but again he believed some were further than three miles. He added he did see names of a few people who had called to have

their names struck from the petition. He remarked petitions from both sides have a lot of crossovers.

Chairman Anderson said if it can't be verified that people live within three miles, it would be best just to offer the petition.

Mr. Anderson said he couldn't verify that people on the petition lived within three miles.

Chairman Anderson asked for others who might want to speak in favor of the permit.

A resident, who said he lived within one lot of the proposed store, commented it would be great to have a store in this area.

Chairman Anderson said information from both sides would be heard but didn't want comments to become repetitious. He asked if there were any others to speak in favor of the rezone request.

Chairman Anderson asked from comments from those opposing the rezone request.

Mr. Mike Brown said they had appeared before the Zoning Commission twice and before the Board of Commission in the previous rezoning request by Mr. Kendrick. He said they had contacted the property owners within a 2 1/2 mile radius and presented an aerial map marked showing property owners for and against the rezone request. He explained the areas marked in red were against, the areas marked in green were in favor. He stated he had signatures along with the addresses of these property owners and there were 70 opposed and 7 in favor. He said one of their main oppositions was they didn't feel this convenient store was compatible with the Ag-5 zone. He added another concern was if this change was granted, what could or would be added in the future, would the Commission have to approve any additional changes or could changes be made without approval.

Chairman Anderson asked for others opposed to the request. A resident said there had been comments that people were misled, which was not true. She said in their contacts they did not try to mislead anyone, the people contacted moved into the area for a lot of reasons and certainly didn't have a convenient store in mind, if they wanted a convenient store nearby, these people would not have moved into the area. She said the maps presented by Mr. Brown can be verified, addresses and telephone numbers were obtained to support the maps.

Ms. Nanette Johnson asked the Commissioners if they had received the letter she had written to each Commissioner and remarked that letter said a lot. She stated she wanted to point out some points made by Mr. Anderson; one of the letters read by Mr. Anderson said only three people turned them down and these people were misinformed, the person who wrote that letter came to see her, she turned them down and she certainly was not misinformed, she also knew another person who turned them down and that person was not misinformed either; did everyone notice that several of the letters which he read were from out of town, why should people from out of town make decisions for people who live in the area; Mr. Anderson said all signers of the petition lived within 3 miles and, when it was pointed out this was not necessarily true, he said that was what he was told, who told him this, the same person who telling everyone what they plan to do at this location. She said she didn't believe what's being said is not what will be done and she was opposed to the request.

Chairman Anderson recognized Mr. Kendrick. Mr. Kendrick stated from the first meeting all he heard was opposition to a pool hall and gameroom and that is why the first request was withdrawn and request submitted for neighborhood

commercial. He said there was some question if what was proposed was what would be done, there are restrictions in neighborhood commercial zone of what can and cannot be done, there can't be a gameroom. He said people have been misled and everyone he has talked with, except a few, is in favor. He said he would like to spend his time, money and energy in building and properly operating this store.

Chairman Anderson asked Mr. Dodgen to state for the record the reason the Zoning Commission denied this request.

Mr. Dodgen said there is a checklist of standards used by the Zoning Commission for zoning changes. He stated one standard is the zoning change should be in compliance with the Comprehensive Plan and the Zoning Commission felt changing Ag-5 zone to Neighborhood Commercial in this area was not in compliance with the Comprehensive Plan.

Chairman Anderson asked for more comments or questions before the Board took action.

There being no response, Commissioner Lee offered a motion to deny the request by Mr. John Michael Kendrick for rezone from Ag-5 to Neighborhood Commercial. Commissioner Alston seconded the motion and it was unanimously carried.

The next item was Beer and Wine License application for Mr. Ullis Bellinger. Chairman Anderson asked for discussion of this item.

Commissioner Alston offered a motion this Beer and Wine License application be approved with the understanding that Mr. Bellinger be informed of the comments on the Sheriff's approval. Commissioner Hodges seconded the motion. In discussion Commissioner Hodges said Mr. Bellinger needs to be fully informed of the state and county laws on times of operation, time to be open and time to be closed. Chairman Anderson asked Mr. Bellinger if he understood the Commissioners' desires and if he understood the law for Beer and Wine License. Mr. Bellinger said yes.

Motion approving Beer and Wine License Application for on-premises licenses for The Pond by Mr. Ullis Bellinger was carried.

Chairman Anderson asked Mr. Ted Wynn to present the next item, road name change for Willow Hill Road.

Mr. Wynn advised petition of 100% of property owners was received to change the dirt portion of Willow Hill Road, end of paved portion from the Fred Blitch Road, to W. H. Smith Road.

Commissioner Hodges asked if property owners pay for signs when road names are changed. Mr Wynn said that was correct, they pay a fee per property owner for the change.

Commissioner Hodges offered a motion to approve change the name of dirt portion of Willow Hill Road, #98, to W.H. Smith Road. Commissioner Simmons seconded the motion and it carried.

Next item of business was bid results and recommendations for paving and fencing for Olney Station Solid Waste Compactor site. Chairman Anderson reference memo for Mr. Bob Smith giving details of bid process for fencing and paving. Bids for paving were: Ellis Wood Contracting - \$13.50 per square yard, APAC-Georgia, Inc - \$16.22 per square yard; bids for fencing were: Morris Fence Co. - \$4.25 per foot, Eagle Fence Co. - \$4.79 per foot, Central Fence Co. - \$3.61 per foot.

Commissioner Hodges offered a motion to accept the low bid for paving of \$13.50 per square yard from Ellis Wood Contracting and the low bid for fencing of \$3.61 per foot from Central Fence Co. Commissioner Alston seconded the motion and it carried.

Chairman Anderson said action was needed on two resolutions which were not on the agenda. He asked the Clerk to read each of the resolutions.

The first resolution recognizing and welcoming the Canadian Wrestling team, who will use Georgia Southern University as their training site for the 1996 Olympics, was read.

Upon motion by Commissioner Alston, seconded by Commissioner Lee and carried, this resolution was adopted. See exhibit 1995-22.

The second resolution recognizing and congratulating thirteen members of the Statesboro-Bulloch County Parks and Recreation Department's Major Boys Baseball League All-Stars and their coaches for being undefeated in the Georgia Championship Tournament and named Georgia State Champions in Class B was read. Members of this team were present and were applauded for their work this season.

Upon motion by Commissioner Hodges, seconded by Commissioner Lee and carried, this resolution was adopted. See exhibit #1995-23.

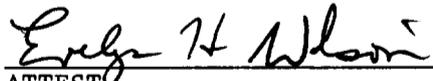
Chairman Anderson referenced the date for the regular scheduled meeting on the morning of Tuesday, August 15th and said he had a possible conflict in schedule for that morning. He said there was some important business on the agenda for that meeting and he would do everything possible to be present. There was some discussion of this meeting and schedules of other Commissioners. Chairman Anderson asked permission to review schedules and announce meeting time at later date.

Chairman Anderson asked for other business or comments. Mr. Wayne Franklin asked status of Settlement Road. Mr. Jones advised the Judge had not make a ruling yet.

Chairman Anderson said an Executive Session was needed to discuss potential litigation.

Upon motion by Commissioner Alston, seconded by Commissioner Hodges and carried, meeting was moved into Executive Session to discuss potential litigation.

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

  
ATTEST

  
E. Raybon Anderson

August 15, 1995  
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 visitors. Commissioner Simmons gave the invocation.

Minutes of the regular meeting on August 3, 1995 and minutes of Executive Session on August 3, 1995 were presented. Upon motion by Commissioner Simmons, seconded by Commissioner Alston and carried, minutes of these two meetings were approved as presented.

Chairman Anderson presented the first item of old business, an Agreement with the Bulloch County Hospital Authority, and said this Agreement set conditions for the Hospital Authority's lease and/or sale of the Hospital. Chairman Anderson said action was also needed on a Resolution which, if approved, gave him the authority to execute a Lease Agreement with HMA. He said before discussion of these two items he wanted to advise the Board of receipt this morning of a petition with 448 signatures against a hospital being built on another site.

Commissioner Smith gave a history of the Negotiating Committee which was the result of an agreement between the medical staff, the Hospital Authority and the Commissioners and said a tentative lease agreement with Health Management Associates of Naples, Florida is the result of this Negotiating Committee. He said the two documents before the Commissioners, the Lease Agreement between the Bulloch County Commissioners and Health Management Associates and the Agreement between the Bulloch County Commissioners and Bulloch County Hospital Authority, are final results of the Negotiating Committee.

Commissioner Smith offered a motion to approve the Agreement with Health Management Associates, the Agreement with the Bulloch County Hospital Authority and the Resolution giving the Chairman authority to sign related documents on behalf of the Commissioners. Commissioner Hodges seconded the motion.

In discussion Commissioner Beacham referenced an item in the Agreement with the Hospital Authority concerning the prorata division of sales proceeds between the County and the Hospital Authority based on the appraised values and asked what was the proration. Attorney Charles Brown said this item would really become relative in the event HMA is not granted a Certificate of Need to build a new hospital, if that were to happen, sales proceeds would be divided based on the equation of the appraised value of assets owned by the County and the Authority.

Motion to approve the Agreement with Health Management Associates, the Agreement with the Bulloch County Hospital Authority and the Resolution giving the Chairman authority to sign related documents carried. See exhibit #1995-24; exhibit #1995-25

Chairman Anderson asked Commissioner Smith to present the next item of old business, update on the Judicial Annex.

Commissioner Smith recognized Mr. Martin and Mr. Rule, architects for this project, and said they were present to give updated status of planning process and give some time frame for the project.

Mr. Martin said at the last presentation, because of budget restrains, the Commissioners had asked the project be reduced which has resulted in the 34,000 square feet of heated space being reduced to 30,000 square feet. He said this reduction was done with same design as previously presented but further reduction would require changes in the building design. He said they were very aware of the budget (2.5-2.9 million) for the building and would like to recommend the bid documents have alternates to the building to stay within the budget, items which could be deleted and added at another time. He continued one alternate recommended was one the of the three judges' chambers, second recommendation was to cut the space for the public defender in half, another recommendation was to cut the multi-purpose room in half and possibly some exterior reductions. He said they thought with these alternates in the contract this project would accommodate the budget. He

said the working drawings should be completed by mid October.

Commissioner Hodges asked when bids would go out if drawings were completed in mid October. Mr. Martin said if all goes as planned, bids could go out mid November, thirty days are needed after drawings are completed.

Commissioner Hodges asked who decides when bids go out. Mr. Martin commented, historically, the end of the year is not a good time to bid a project, but Commissioners will make decision for bid request once working drawings are completed.

Chairman Anderson asked for other questions. Mr. Kenny Hill questioned the vault size in the annex. Mr. Martin advised him the value size was derived from an interview with Mrs. Akins, Clerk of Court.

Chairman Anderson thanked Mr. Martin and Mr. Rule for this report.

Chairman Anderson asked for other old business. Commissioner Lee asked status of parking lot study committee. Chairman Anderson asked Commissioner Beacham to respond.

Commissioner Beacham said he, representing the Commissioners, along with a city councilman and a member of the Downtown Development Authority makeup a city/county parking study group. He advised this committee had one organizational meeting and another meeting is planned for this afternoon.

The first item of new business was a Resolution and Articles of Agreement for a Grant for Stilson Park. Chairman Anderson recognized Mr. Mike Rollins, Parks and Recreation Director.

Mr. Rollins advised this was a recreational assistance grant of \$12,500 from Georgia Department of Natural Resources which does not require any matching funds and will go directly to recreational improvements for the Stilson Community.

Commissioner Hodges offered a motion to approve the Resolution accepting the terms of the Grant and to give the Chairman authorization to execute Articles of Agreement with the Department of Natural Resources. Commissioner Alston seconded the motion and it carried. See exhibit #1995-26

Chairman Anderson asked Mr. Wood to present the next item, Resolution for Drug Free Recreational Zones. Mr. Wood said this Resolution authorized placement of signs designating certain recreational areas as "Drug-free Zones" which provides the Courts greater measure of penalty for people involved with any drug activity within the designated zones.

Commissioner Beacham offered a motion to approved Resolution for Drug Free Recreational Zones. Commissioner Simmons seconded the motion. In discussion Commissioner Smith asked if this Resolution covered alcohol. There was some discussion of this question and it was decided this Law only covers controlled substances.

Motion approving Resolution for Drug Free Recreational Zones carried. See exhibit #1995-27

Chairman Anderson asked Mr. Jones to present the next item, Flood Zone Ordinance Revisions. Mr. Jones said Federal Emergency Management Agency is the agency which administers the National Flood Insurance Program and anyone who lives in a designated flood zone can purchased flood insurance which is backed by FEMA. He stated in order for a person to be able to obtain flood insurance the local governing authority has to have this Ordinance in place. He said the County had adopted the Flood Damage Prevention Ordinance, however, FEMA is asking this new version be put in place. He advised this would be considered the first reading of the Ordinance and his office was in process of preparing the revised Ordinance for action at the next meeting.

Commissioner Smith asked if this revised Ordinance will require additional staff to make inspections. Mr. Jones said no, with up-gradings made by FEMA and Department of Natural Resources it should be easier to designate flood zones and what is in flood zones.

Chairman Anderson said the next issue was not on the agenda but as everyone knows the Legislature is in special session and there has been some discussion with local representatives concerning where Bulloch County will be in the redrawing of Congressional Districts, one plan has been presented which takes Bulloch County out of the 1st District. He said he would like the Board to consider a Resolution to be sent to the local representatives stating the Board's opposition to Bulloch County being taken out of the 1st District. He added local representatives support keeping Bulloch County in the 1st District and a Resolution from the Commissioners would strengthen their position.

Commissioner Hodges offered a motion to approve the Resolution and forward it to local representatives. Commissioner Smith seconded the motion and said he would like Resolution sent to local representatives and any other parties which may have a bearing on this issue. Motion carried. See exhibit #1995-28.

Chairman Anderson said the application for Beer and Wine License was approved for the Pond by the Board at the last meeting and, as a matter of information to the Board, there are some citizens in that area who are very unhappy the application was approved and who wanted to be sure the Board was aware of their feelings. He said he asked them to discuss this issue with the Sheriff and make sure he was aware of their feelings and enforced the applicable laws, which he was sure the Sheriff would do. Comment made that there was no opposition when the Zoning Conditional Use and the Beer and Wine License Application was presented and approved.

Chairman Anderson asked for other business. Mr. David Fountain asked the status of paving of Oak Grove Church Road and said, after two years of working to pave this road, one man is stopping this paving because he won't give right-of-way. He added the amount of property required is not that great and eight other landowners, who wish to have the road paved and who have given right-of-way, think it is wrong for one person to holdup the majority.

Chairman Anderson remarked everything possible has been done to acquire this right-of-way, about one fourth acre. He added it has been the county's policy not to consider condemnation unless this type situation occurred and without condemnation this road will not be paved. He added condemnation has occurred once in a similar situation where one or two property owners, representing a small portion, would not agree to give right-of-way. He said Mr. Tatum had details on this road.

Mr. Tatum reported this property was purchased in the last year by a Mr. Carl Hutchinson. He presented a map showing property involved and alignment of road. He remarked two property owners have agreed to give the whole 80 feet from their property.

Commissioner Alston discussed history of work involved to try to obtain right-of-way to pave Oak Grove Church Road and Ponderosa Road. He said if condemnation is not considered, this could go on for years, but members of Oak Grove Church and Johnson Grove Church and other citizens need an improved road. He suggested a report from Mr. Tatum for action at the next meeting.

Commissioner Hodges said he didn't see waiting until the next meeting, it seemed everything had been done that could be done and Mr. Tatum had all necessary information. Commissioner Hodges offered a motion to condemn necessary property for project to proceed. Commissioner Beacham seconded the motion. In discussion Commissioner Smith asked if this property owner had been notified this property could be condemned. Chairman Anderson said he had been personally contacted, letters have been written, neighbors have offered to purchase the necessary property. Commissioner Smith said his concern was that this property owner knew his property could be condemned. Chairman Anderson said he had been made aware of this fact.

Motion to condemn necessary property to pave Oak Grove Church Road was carried.

Commissioner Alston said he would like for Mr. Tatum to prepare a report for Ponderosa Road.

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

  
 ATTEST

  
 E. Raybon Anderson

September 5, 1995  
 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 16 visitors. Commissioner Beacham gave the invocation.

Minutes of the regular meeting on August 15, 1995 were presented. Upon motion by Commissioner Alston, seconded by Commissioner Simmons and carried, minutes of August 15, 1995 meeting was approved as presented.

The first item of old business for discussion and action was the revised Flood Zone Ordinance. Chairman Anderson asked Mr. Ken Jones, Staff Attorney, to present this item.

Mr. Jones said this was the latest version of the Flood Prevention Ordinance that FEMA has presented for counties to enact, a mandated law to enable residents of the county to obtain flood insurance. He explained that flood insurance is backed by FEMA and these regulations allow building inspectors to inspect buildings for flood standards, specifications and standards are listed in this Ordinance. He said the old version of the Ordinance was repealed and replaced with this revised Ordinance, there were so many changes it was easier to replace the Ordinance rather than have so many revisions. He commented this revised Ordinance was discussed in the last meeting and this was considered the second reading.

Commissioner Hodges offered a motion to adopted the revised Flood Damage Prevention Ordinance. Commissioner Simmons seconded the motion and it carried. See exhibit #1995-29

Chairman Anderson asked Mr. Wood to present the next item, renewal of contract with landfill consultants and resolution for application of funds for landfill.

Mr. Wood remarked that two years ago the City and County entered into a contract with Golder Associates, engineering firm specialized in providing monitoring services for landfills. He said the two year contract is expiring and the City, which is the primary operational agent for the landfill, has had a good working relation with Golder Associates and feels the contract should be continued for another two years. He stated the contract price is \$84,110 for 1996-1997 sampling years, this contract provides for sampling and testing of ground water, surface water and methane gas as required by EPD. He said recommendation to extend this contract comes from the joint City/County Solid Waste Committee. He explained payment for this contract comes from the tippage fee closure funds for the landfill.

Commissioner Hodges commented this will be an ongoing project which has no end. Commissioner Beacham added this is the cost to comply with regulations to make sure the landfill is safe, there are no options.

Commissioner Beacham offered a motion to continue contract with Golder Associates for two years pending City Council's approval. Commissioner Alston seconded the motion and it carried.

Mr. Wood explained there was a Hazardous Waste Trust Fund established by Department of Natural Resources and city/county landfill qualifies to apply for these funds. He presented a resolution authorizing application for these trust funds.

Commissioner Smith offered a motion authorizing application for Hazardous Waste Trust Funds from the Department of Natural Resources. Commissioner Hodges seconded the motion and it carried. See exhibit #1995-30.

Chairman Anderson asked for other old business. There was no other old business and Chairman Anderson asked Mr. Jimmy Dodgen to present the first item of new business, Rezoning Application.

Mr. Dodgen presented an application from Mr. Lee Davis, Sr. to rezone approximately 8.467 acres from Ag-5 to R-80. He explained in 1987 the property was subdivided into two parcels, one containing 5.297 acres and the other 3.170 acres, now Mr. Davis wants to re-subdivide into two new parcels, one containing 2 acres and the other 6.46. He said the property is located on the corner of Grimshaw Lane and Grimshaw Road and surrounding area is residential and agricultural with some lots of less than five acres and some property is zoned R-80 in a nearby area. He said the Planning and Zoning Commission recommended approval of this rezone request. He advised no opposition was received for this rezone request.

Commissioner Hodges offered a motion to approve rezone application for Mr. Lee Davis, Sr. to rezone 8.467 acres from Ag-5 to R-80. Commissioner Simmons seconded the motion and it carried.

The next item of business was RDC Board appointments. Chairman Anderson referenced letter from Altamaha Georgia Southern RDC advising the term of Commissioner Alston was expiring. He said Commissioner Alston had served the Commissioner well on the RDC Board for several years and has agreed to serve again if appointed.

Upon motion by Commissioner Hodges, seconded by Commissioner Beacham and carried, Commissioner Alston was reappointed to serve a three year term on the RDC Board.

Chairman Anderson said Dr. Billy Bice had requested an opportunity to speak to the Commissioners and asked if Dr. Bice was present. Dr. Bice was not present.

Chairman Anderson said Board members had requested some discussion of the business of the hospital sale. He asked Commissioner Smith to give an update on this issue.

Commissioner Smith gave a history of operation of the hospital under the Bulloch County Hospital Authority and said in 1992 the Authority had begin to look at and assess needs and a committee formed by the Authority recommended an addition to the existing structure and ultimately the Authority applied for and obtained a Certificate of Need. He said there was much discussion whether it was prudent to remain in the same location with an enlarged medical facility and the Authority reassessed the situation. With agreement of all parties, a Negotiating Committee was formed to review the options and this Committee recommended the hospital be sold to HMA (Health Management Associates) and agreements were acted on in early August. He stated the final closing date was set for September 29th and operational transfer of the hospital will occur at midnight on Saturday, September 30th. He said as of October 1st the hospital will be operated by HMA under a lease arrangement. He explained the agreement is that HMA will pursue a Certificate of Need and if it is granted, they will build a state of the art hospital in the Statesboro area to replace the present facility and all services will be moved to the new facility. He said projections are that it will take three to five years to accomplish this goal. He said total estimated purchase price including lease was about \$17,250,000 (\$4,300,000 to pay all revenue certificates issued in 1988 and \$40,000 to pay off general obligation bonds issued in 1966; \$280,000 to Authority for lease of hospital equipment; \$1,123,000 to County for three year lease of property; \$3,000,000 to Authority for lease and franchise/certificate of need; approximately \$8,500,000 for accounts receivable). He added the total to the county after revenue certificates and general obligation bonds are paid is about \$12,900,000, this is what HMA is paying for use of the facility for three year period and if period extends beyond three years, there are options to extend the lease. He explained monies coming to the county could possibly be entrapped in some indigent care fund laws.

Chairman Anderson asked for questions. Commissioner Hodges said contract called for a committee to be made up of three members of Hospital Authority and three Commissioners and asked when this committee will be formed.

Chairman Anderson said the contract calls for two committees, one committee to be formed immediately to study what happens to the present hospital facility and a second committee to study funds from lease/sale of the hospital. He commented the first committee will be formed very soon and he thinks the second committee should be formed soon after the first. He explained the contract calls for the second committee after the Certificate of Need is issued and new construction is underway, they won't really have any business until these two events occur. He added both he and the Authority Chairman think this committee needs to be formed in the near future. Chairman Anderson said the first committee, Building Committee, will be made up of as many citizens as the Board thinks need to be included, people have already asked to be included, but he would like for the Commissioners to provide some names. He continued the second committee, Sales Proceeds Committee, will be made up of three Commissioners and three Hospital Authority members.

Commissioner Beacham said it's important, and this is one reason he

wanted this discussion, for everyone to know that all of this is way out in the future, money is way out in the future and for Commissioners to make any commitment of these funds is almost promising something they don't have.

Commissioner Smith said one point to be considered is the contract provides that if the Certificate of Need cannot be obtained, HMA can purchase the present facility at a given price, obviously the Certificate of Need has to be obtained before any action on either the property or the money. He added another point to be considered is if for some reason the terms of the contract are not carried out, which he didn't see happening, the Authority has the authority to buy back and resume operation of the hospital which will require they have these funds.

Commissioner Beacham commented, from conversations with Mr. Jones, it appears there has to be some legislative action to protect indigent care in the county and this action was taken by a provision in the contract, but use of these funds may be based on how the Legislator interprets the contract.

Mr. Jones said the sale proceeds are really locked up, some funds may be freed up, but, as has been said, that time is some time out in the future.

Commissioner Smith commented another point to remember is that indigent care addressed in the contract is indigent care associated entirely with the hospital, but there is other indigent care in the county which cost taxpayers' money, two of these are E.M.S. and the Public Health Department.

Chairman Anderson said there's another hidden issue, if the Certificate of Need is issued and a new hospital is built and if the committee's recommendation for the old facility is approved by the Commissioners, the facility may have to be updated, environmentally it will have to be cleaned up, whatever is done with the property will require funds.

Commissioner Lee said he supported naming the financial committee as soon as possible and he thought there were valid discussion and reasons to be conservative with the money. But the public is yelling for property tax relief and if the committee can be named to investigate what can and cannot be done with the money and when it may become available, maybe some of the questions can be answered.

Commissioner Beacham remarked he was concerned with all the comments about hidden agendas of Commissioners to spend this money for pet projects. He stated the only thing he has heard from the Commissioners is tax relief, he didn't know of anyone who had a hidden agenda.

All Commissioners agreed there are no hidden agendas and they wanted to be conservative as possible and do the right thing with the money.

Next item was update on Settlement Road. Chairman Anderson asked Mr. Jones to present this report.

Mr. Jones advised an Order was received and the Judge determined the road is a public road, it never was closed by either county. He added a survey has to be provided to the Judge within sixty days from the date of the Order. He said the down side to the Judge's Order is the width of the right-of-way, basically the Order gives the road that was there.

There was some discussion on establishment of right-of-way of the road and Mr. Franklin commented he thought the Judge would look at what is reasonable and what is needed to maintain a safe road.

Chairman Anderson said Mr. Jimmy Hayes had asked to address some issues on solid waste.

Mr. Hayes said he didn't believe in pits and solid waste being dumped and had read articles on foreign counties which burn all their waste. He

continued he thought the issue of burning waste should be thoroughly investigated.

Commissioner Hodges commented he thought burning had been presented. Chairman Anderson said yes, it has been presented to the Solid Waste Committee, but there are serious problems with burning.

Chairman Anderson remarked that all options are being investigated, one of these is to ship solid waste out of the county and not build a landfill. He added a lot of work has been done and is being done on Solid Waste issue.

Commissioner Hodges commented the laws change so quick and he thought it would be better to ship it out for a few years and see what happens.

Chairman Anderson repeated a lot of work is being done on solid waste issue and he thought there would be a decision soon, hopefully it would be a decision to best benefit of the county.

Mr. Hayes said he would like to ask a question on another subject, are the Commissioners planning to adopt a resolution to support the school bond issue.

Chairman Anderson replied he had not heard anything about that.

Chairman Anderson recognized Mr. Bill Akers. Mr. Akers said that truth is a basic thing, he supported the best schools possible for Bulloch County, but everyone needs to get the correct information. He continued the facts are being distorted, the School Board has conspired to deceive the public in their effort and their zeal to have the best schools. He said the actual facts have to be tempered, the School Board has conspired to deceive and subvert the laws of the State.

Chairman Anderson asked for other business or comments. There being no other comments, Chairman Anderson advised an Executive Session was needed to discuss proposed acquisition of property and a legal matter.

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

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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

September 19, 1995  
Statesboro, Georgia

PUBLIC HEARING - 8:30 A.M.  
Community Room - North Main Annex

#### INDUSTRIAL DEVELOPMENT REVENUE BONDS

Persons present: Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Hodges, Commissioner Lee, Commissioner Smith, news media and seven citizens.

Chairman Anderson announced the purpose of this Public Hearing was for public input on the issuance of Industrial Development Revenue Bonds for Gold Kist, Inc. for a new cotton gin. He recognized Mr. Steve Rushing to present details of proposed bond issuance.

Mr. Rushing said he was present on behalf of the Development Authority and stated the Legislature and the Internal Revenue Code have provided for

lease type financing in order to encourage economic development which allows tax incentives through bond financing and the structure to carryout this type financing is through local Development Authorities. He explained bonds could be issued by the Development Authority and the proceeds used either to loan to Gold Kist for creation of the facility or the Development Authority could purchase the facility and then lease it back to Gold Kist. He said the particular type of Authority that Bulloch County has is tax exempt itself but it does not cause the company who is financing the project to be tax exempt, the company is still subject to county ad valorem taxes just as any other facility, even if it goes through the lease purchase arrangement. He added they are not seeking, nor have asked for, any ad valorem tax advantages, what they are seeking is favorable financing through an income tax incentives to those people purchasing the bonds. He said the bonds are not backed by the county taxpayers, the project is supported by the facility, usually underwritten by a large financing company which may require mortgage insurance. He advised the Development Authority issued its inducement letter to Gold Kist on March 21st for this type financing, they have approved it and Internal Revenue Code requires the approval of issuance of the bonds by the governing authority of the county. He said the Board is merely asked to approve the issuance by the Development Authority of its revenue bonds for this project. He added a Public Hearing is likewise required for any public input and the floor was open for any questions or comments.

Commissioner Hodges asked if the Development Authority finds someone to issue these bonds.

Mr. Rushing responded the Development Authority really does nothing, it's acting solely as a conduit, Gold Kist's attorneys do all work.

Commissioner Lee said even if this is done under the lease purchase arrangement, Gold Kist will pay ad valorem taxes on the value of the building and the property.

Mr. Rushing said that was correct, they will pay taxes based on fair market value of the leasehold interest. Mr. Jones added that some counties have constitutional created Development Authorities and some have statutory created Development Authorities, the constitutional Authorities can have provision that allows anything owned by them to be ad valorem tax exempt but Bulloch County has a statutory created Development Authority so everything is taxed. Mr. Rushing stated that Attorney General has issued an opinion that the statute the Bulloch County Development Authority was created under does not allow the tax exempt to flow through to the lessee.

Chairman Anderson asked for other questions or comments. There were no other discussion and Chairman Anderson announced the Public Hearing was adjourned.

  
ATTEST

  
E. Raybon Anderson

September 19, 1995  
Statesboro, Georgia

The regularly scheduled Board meeting was held immediately following the Public Hearing. Chairman Anderson called the meeting to order and welcomed the news media and visitors. Commissioner Hodges gave the invocation.

Minutes of the regular meeting on September 5, 1995 and minutes of the Executive Session on September 5, 1995 were presented. Upon motion by

Commissioner Beacham, seconded by Commissioner Alston and carried, minutes of these two meetings were approved as presented.

Chairman Anderson asked Mr. Ken Jones to discuss the first item of old business, Revised Soil Erosion and Sedimentation Control Ordinance.

Mr. Jones explained this was a proposed revision of an existing Ordinance, there have been increases in the knowledge of soil erosion and sedimentation control, this revised Ordinance mirrors this new knowledge, basically soil and water stewardship. He said these changes are included in this Ordinance, outlines ways to control erosion and does include a land disturbing activity permit, the present Ordinance fee structure is \$25 for the first five acres and \$1 for each additional acre or partial acre. He said the land disturbing activity permit is issued through the Building Inspection Department and recommendations are not to change the fee schedule. He said this was being present today because this revised Ordinance required advertising in newspaper, the first reading would be at the next meeting with final action at the second meeting in October. He said the reason for the delay for final action is because there is a fee included in the Ordinance.

Chairman Anderson asked Mr. Jones to give an update on Settlement Road. Mr. Jones advised notice has been received from the Supreme Court that this case has been appealed and the case is now pending before the Supreme Court. He commented if the Supreme Court will hear this case remains to be seen, but they probably will, its an issue involving land and the Supreme Court typically takes those cases.

Chairman Anderson asked for other old business. There was no other old business for discussion.

Chairman Anderson presented the first item of new business, a Resolution approving the issuance of Industrial Development Revenue Bonds by the Development Authority.

Upon motion by Commissioner Smith, seconded by Commissioner Simmons and carried, the Resolution giving approval for the issuance of Industrial Development Revenue Bonds by the Development Authority of Bulloch County was approved. See exhibit #1995-31

The next item was discussion of Lighting District for Turkey Trail. Chairman Anderson recognized Mr. Billy Hickman.

Mr. Hickman said they have had street light for ten years, have gone door to door collecting the money and over the past few years, of the 40 parcels in the neighborhood, 23 to 25 have been paying the bill. He said they decided to circulate a petition for a Lighting District and 32 people out of the 40 signed the petition to have a Lighting District.

Commissioner Smith asked if a plan showing level of lighting had been done, is there ample lighting for everyone.

Mr. Tatum presented plan showing existing lights and explained two lights were being added, there shouldn't be any dark spots.

Commissioner Hodges offered a motion to proceed with required steps to establish a Lighting District for Turkey Trail. Commissioner Smith seconded the motion. In discussion Commissioner Alston asked how cost for lighting was communicated to new property owners. Mr. Hickman said they were contacted directly. Motion to proceed to establish Lighting District for Turkey Trail was carried.

Mr. Tatum advised advertising in newspaper and signs posted in subdivision were required along with a Public Hearing at the next Board meeting.

Chairman Anderson asked Mr. Tatum to present the next item of business, bids and recommendation for road resurfacing.

Mr. Tatum said bids were solicited to resurface Mill Creek Road from Franklin Road to the Airport and about 2000' of Ephesus Church Road off Highway 301 South. He remarked these roads had signs of early deterioration due to heavy traffic and because of the wet winter, also the subgrade was inadequate. He advised the State was giving a contract to resurface these roads. He said bids request were sent to eight contractors with only two responses. Bids received were: Reeves Construction - \$65,649.08 for Mill Creek Road and \$60,233.88 for Ephesus Church Road; Ellis Wood Contracting - \$60,947.40 for Mill Creek Road and \$45,280.08 for Ephesus Church Road; Shuman Construction - no bid for Mill Creek Road and \$56,646.80 for Ephesus Church Road.

Commissioner Hodges offered a motion to accept the low bid from Ellis Wood Contracting to resurface Mill Creek Road and Ephesus Church Road. Commissioner Alston seconded the motion. In discussion Commissioner Beacham asked amount of State participation. Mr. Tatum explained the State would contribute \$29,655.63 toward the bid price on Mill Creek Road and \$23,925.62 toward bid price on Ephesus Church Road. Motion to accept bid from Ellis Wood Contracting for resurfacing Mill Creek Road and Ephesus Church Road carried.

Chairman Anderson announced the appointment of the committee, fund committee, for the hospital sale and requested Commissioner Smith, Commissioner Simmons and Commissioner Lee to serve on this committee. He said these three Commissioners along with three members of the Hospital Authority will make up this Fund Committee.

Chairman Anderson asked for other business or discussion. Commissioner Hodges asked if the Commissioners could visit all the county facilities as a group and asked that a day be planned to do this. There was some discussion on when this could be done and it was decided to set a date to review county facilities some time in late October.

Commissioner Lee said he wanted to follow-up on the discussion of the hospital funds at the last meeting, he would like to see the Board go on record in the form of a position statement or resolution stating that when a if the hospital funds become available and after issue of health care and the issue of the disposition of the existing facility, the Board takes a position that as much as possible of that money be used for property tax relief.

Commissioner Lee said he would like to offer a motion that the Board pass a resolution or position statement to that effect. Commissioner Hodges seconded the motion for discussion purposes.

Commissioner Smith said he agreed with the concept of property tax relief, he, as well as everyone else, would like to see it personally and he thought the purpose of the committee appointed by Chairman Anderson was to study the use of these funds so why try to dictate the thoughts of this committee rather than wait until they come back with some recommendations. He said he wasn't questioning the fact that the Board does want some tax relief with these funds but he did think this could tie this committee's hands before they had time to make a effort to develop a solution for use of these funds.

Commissioner Lee said he thought this statement could give the committee some guidance from the Board, it could be worded in such a way to leave the health care issue open and he realized to make the present facility available for a good tenant will cost some money. He thought, rather than tying their hands, they would know they had the support of the Board and eventually, when and if the money becomes available and the other issues are resolved, the Board would have a united position that they would like to see some property tax relief.

Commissioner Beacham said he agreed, that was the only use he could see

appropriate for the residue funds. He said he also agreed with Commissioner Smith, that committee should be free to operate, but he would hope that would be their goal in the end, then this means this committee's function will be to decide how the tax relief is administered, now whether it is or is not. He commented this present Board could be out of office before this committee has any reason to meet. He asked Commissioner Lee was his motion to adopt this statement or to asked the Attorney to draft a statement.

Commissioner Lee said his motion was for the Board to approve it be turned over to the Attorney to be put in the form of a position statement or a resolution, whichever is appropriate.

Commissioner Smith said his opinion was the same but the thing he would not like to see happen is for the Commissioners to totally limit the scope of this committee or to tie a future Commission hands, this is three to five years in the future. He repeated he felt everyone wanted some property tax relief with this money, but he didn't know if anyone could say at point what form this may take, it might be a little premature.

Commissioner Simmons commented the statement could be worded that once this money becomes available it was the wishes of the present Board that it would used, not making a statement that it should be, for any property tax break that the money could be used for would be considered. He added this wouldn't be tying up a future Board, but just making a statement about the wishes of the present Board.

Commissioner Alston stated the responsibility of the Board's representatives along with respresentatives from the Hospital Authority is to formula a report to bring back to the full Board. He said he would like to put on the table that property tax relief be one of the options that they consider because, if he understands correctly, that committee will bring the report back to the Board and at that time the Board can accept it or ask them to restudy it or reject it.

Chairman Anderson said there was a motion already on the table but if Commissioner Lee would consider amending his motion, but there was a pending motion.

Commissioner Smith asked the motion be restated.

Commissioner Lee said his motion would be that the Board authorize the Staff Attorney to draft a position statement to the effect that, after the committee looks at the health care issues relating to the sale of the hospital, the disposition of the existing facilities and the issue of preparing it for a tenant and other issue relating to health care, strong consideration be given to bringing some property tax relief to taxpayers of Bulloch County with the remainder of the money. He said his intent was not to bind the committee but let them know they had the support of the Board when they start negotiating the different issues for use of the remaining funds.

Commissioner Hodges asked for Mr. Jones's opinion. Mr. Jones said a position statement would be less binding. He said he would reiterate, as State Law is written, any sale or lease proceeds are basically locked up under State Law, the other money seems to have more uses. He commented steps were being taken to try to have something before the Legislature next session for some way to amend the State Code to free up this kind of money and really bring the State Law current.

Chairman Anderson asked for action on the motion on the table. Commissioner Lee's motion as restated was unanimously carried.

Chairman Anderson called attention to the advertisement of the 1995 digest and millage recommendation in today newspaper. He said he hoped everyone noted

that the millage rate will be rolled back slightly, a good growth in the digest allowed the Board to rolled the millage and they all agreed that was the fair thing to do.

Chairman Anderson asked for other business. Commissioner Beacham said he had a report on the land purchase discussed in the last Executive Session and requested an Executive Session to give this report.

Chairman Anderson announced the closing on the hospital would be at 9:00 A.M. on Friday, September 29th.

Chairman Anderson asked for report from any Department. Mr. Ted Wynn, Public Safety Director, advised another \$11,323 grant for additional dry fire hydrants has been approved by the Central Savannah Resource Conservation and Development Authority, 76 dry fire hydrants have been installed and this grant should add about 20 to 25 more.

Chairman Anderson asked for other discussion. Upon motion by Commissioner Simmons, seconded by Commissioner Alston and carried, the regular meeting was moved into Executive Session to discuss potential land purchase.

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

Evelyn N. Alston  
ATTEST

E. Raybon Anderson  
E. Raybon Anderson

October 3, 1995  
Statesboro, Georgia

PUBLIC HEARING - 5:55 P.M.  
Community Room - North Main Annex

TURKEY TRAIL STREETLIGHT TAX DISTRICT

Person present: Chairman Anderson, Commissioner Alston, Commissioner Simmons, Commissioner Beacham, Commissioner Lee, Commissioner Smith, news media and 28 citizens.

Chairman Anderson announced the purpose of this Public Hearing was for public input on the establishment of a streetlight tax district for Turkey Trail. He recognized Mr. Billy Hickman who had presented the petition asking this tax district be established.

Mr. Hickman remarked that Mr. Neal Dunn had been instrumental for getting street lights erected some twelve years ago and asked him to give some history.

Mr. Dunn said about twelve years ago there was some vandalism at the home of Mr. Troy Brannen and Mr. Brannen had asked for a meeting of the neighborhood to discuss security in the neighborhood. He said a Neighborhood Association was formed and one result was the erection of security lights. He commented support for lighting was very good for several years but now only a few in the neighborhood are paying. He added that Mr. Brannen has never paid anything toward security lights although he had been involved in the initial establishment of the security lights. He remarked that the lights were distributed uniformly throughout the neighborhood and their petition had been signed by 75% of the property owners, approximately 82% of property owners signed.

Mr. Hickman said some question had been raised about property on Country Club Road being a part of Turkey Trail but these property owners have always been invited to community functions. He added several of property were who live on

Country Club Road were present, consider themselves as part of Turkey Trail and signed the petition for street lights.

Chairman Anderson said that was the question the Commissioners had to address, were the property owners on the east side of Country Club Road considered part of Turkey Trail. He added that Mr. Brannen has said he does not fit in that group and there was a meeting with Mr. Brannen on his property to hear his position. He said Mr. Jones has developed some options the Commissioners can consider in making decision for lighting district.

Mr. Jones present plat of area and said part of the question is what constitutes Turkey Trail Subdivision. He pointed out that originally Turkey Trail was laid out in a semicircle on the west side of Country Club Road and property on east side of Country Club was a different tract which was subdivided. He remarked that eight of twelve owners on west side of Country Club Road had signed the petition for street lights. Mr. Jones said options the Commissioners could consider were: (1) completely eliminate property owners on the east side of Country Club Road and say Turkey Trail and the lighting district runs along the west side of Country Club Road and along loop in Turkey Trail; (2) lights on Country Club Road could be eliminated and just have lights on loop in Turkey Trail; (3) include block of property owners on the northeast end who were in favor of the lights.

Mr. Hickman commented he didn't think it was fair to eliminate people on east side of Country Club Road south of Mr. Brannen's property and people along Country Club who had signed the petition. He added the majority of the people signed the petition for street lights.

Mr. Beacham said looking at the lighting position, there is a light on almost every property line, which seems to be extremely heavy lighting. Mr. Hickman explained how the lighting positions occurred.

Chairman Anderson recognized Ms. Ann Lupton. Ms. Lupton explained she was on the east side of Country Club Road and said her property did not have the same restrictions as property in Turkey Trail. She commented she has had some crime problems since street lights were erected, she pays for two security lights on her property and has paid to have electrical wire run to front of her property for additional lights. She said she did pay for lighting to the Association up until the last two years. She concluded her position on this lighting is it will not effect her property and she is paying for her lighting.

Chairman Anderson asked for other discussion. With no other discussion, Chairman Anderson announced the Public Hearing adjourned.

  
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 ATTESZ

  
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 E. Raybon Anderson

October 3, 1995  
 Statesboro, Georgia

The regularly scheduled Commissioners' meeting was held immediately following the Public Hearing. Chairman Anderson called the meeting to order and welcomed the news media and visitors. Commissioner Lee gave the invocation.

Minutes of the Public Hearing on September 19, 1995, regular meeting on September 19, 1995 and Executive Session on September 19, 1995 were presented. Upon motion by Commissioner Beacham, seconded by Commissioner Alston and carried, minutes of these three meetings were approved as presented.

The first item of old business was the first reading of the revised Soil

Erosion and Sedimentation Control Ordinance. Chairman Anderson asked Mr. Jones to present this item.

Mr. Jones said this revised Ordinance was discussed at the last meeting, required advertisement has been run in the newspaper. He remarked this was considered the first reading of the revised Ordinance with final action scheduled for the next meeting on October 17th. He commented this revised Ordinance brought the county in compliance with Title 12, Chapter 7 of Georgia Code dealing with conservation and soil erosion. He said the Ordinance does include a land disturbing activity permit which does require a fee. He explained the principle differences in this version deals with best management practices guidelines. He repeated that formal action on this revised Ordinance would be at the next meeting.

The next item for consideration was the Resolution for Turkey Trail Lighting District. Chairman Anderson asked for action on this Resolution.

Commissioner Smith offered a motion to approved the Resolution creating a Streetlight Tax District for Turkey Trail as it was originally submitted. Commissioner Simmons seconded the motion. In discussion Commissioner Beacham said he realized there were some concerns but lighting districts were for public benefit and over 75% of property owners had signed the petition. Motion approving resolution was carried. See exhibit #1995-32

The next item for action was the Position Statement on the hospital sale. Chairman Anderson said this issue had been discussed in the last meeting

Commissioner Lee offered a motion to adopt the Policy Statement for the hospital sale proceeds. Commissioner Alston seconded the motion. In discussion Commissioner Lee commented he hoped that, by going on record and taking this action to make usage of the hospital proceeds for property tax relief at some point in the future, sent a message to the public the Commissioners are concerned with property tax rates. Motion adopting the Position Statement carried. See exhibit #1995-33

There was no further old business for discussion or action.

The first items of new business were three Rezoning Applications. Chairman Anderson asked Mr. Dodgen to present these requests.

Mr. Dodgen presented the application of Mr. Carl Bragg to rezone 180 acres at the corner of Highway 80 and Mud Road from the current zone of Ag-5 to Neighborhood Commercial. He explained it is Mr. Bragg's intent to reestablish a convenience type store. He said the Zoning Commission had some concerns with rezoning the entire tract and asked if Mr. Bragg would agree to rezoning of about 2½ acres and Mr. Bragg agreed. He continued Mr. Bragg has no intention of selling beer and wine which he could not anyway because of location of a church across the road, the County Ordinance restricts sale of alcohol beverage within 1000 feet of a church property line. He commented there had been some opposition of this rezone until it was revealed that Mr. Bragg would not be selling any alcohol beverage. He said the Planning and Zoning Commission recommended approval of rezoning 2½ acres.

Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, rezoning of 2½ acres from Ag-5 to Neighborhood Commerical for Carl Bragg was approved.

Mr Dodgen presented the application of Mr. Wayne Fordham to rezone approximately 15.8 acres on Lester Fordham Road from Ag-5 to R-80. Mr. Dodgen advised that Mr. Fordham wants to create two or three parcels but, because of two ponds located on the property, property cannot be divided in five acre tracts. He said there was no opposition to this rezone and the Planning and Zoning

Commission recommended approval of the rezone request.

Upon motion by Commissioner Simmons, seconded by Commissioner Alston and carried, application of Wayne Fordham for rezone of 15.8 acres from Ag-5 to R-80 was approved.

Mr. Dodgen presented application of Noel Harrison to rezone approximately 5.04 acres on Old Riggs Mill Road from Ag-5 to R-2. He explained Mr. Harrison intends to build three or four duplex apartments on the property. Mr. Dodgen said the only opposition, and it's important this be in the record, farmers in the area called saying their family have been farming in this area for many, many years, they have no objection to duplexes being built but want it on record that they spray crops with airplanes and need to continue crop spraying and other agricultural activities to continue their livelihood. He said there was no opposition to the rezone but farmers stressed the developer be made aware that they want the right to continue the same agricultural operations they have practiced for many years. He added a property owner across the road was concerned with drainage adversely affecting his property but he has been assured this will not happen. Mr. Dodgen said the Planning and Zoning Commission recommend approval of rezoning for the 5.04 acres from Ag-5 to R-2.

Commissioner Smith asked how any future owner is made aware of agricultural activities in the area before occupancy or purchasing property. He said there have some problems with this in the past and he wanted to be sure the Commissioners were not creating problems here.

Commissioner Beacham said this was one of the reasons for zoning, when agriculture is adjacent to residential, agriculture loses.

Mr. Dodgen said he didn't know of any means to put any future owners or tenants on notice but wanted it stated as a matter of record.

Chairman Anderson said he thought there was a state Law that the deed was to be stamped in these incidents.

Mr. Jones said there is a state provision that if land is being purchased adjacent to agriculturally zoned property, it is to be stated on the deed.

Commissioner Smith asked if that is being done locally. Mr. Jones said he didn't know, it doesn't come through the county office, it's basically left to the attorneys to make sure it is on the deed.

Mr. Dodgen remarked the county might want to draft a letter to attorneys requesting they stamp the deed.

Chairman Anderson agreed and said he thought the Board should go on record asking attorneys to document deeds.

Commissioner Simmons asked if Mr. Harrison had been notified of farmers' concerns. Mr. Dodgen advised that Mr. Harrison representative, Mr. Gary Wilson, was in the Planning and Zoning Committee meeting when this was discussed.

Commissioner Alston offered a motion to approval rezone of 5.04 acres from Ag-5 to R-2 for Mr. Noel Harrison with official notification of this being an agricultural zone and there are ongoing agricultural operations. Commissioner Simmons seconded the motion. In discussion Mr. Dodgen commented that Mr. Harrison's deed did not have notation about this property being adjacent to agricultural area, property was purchased before the State law was enacted. Commissioner Smith asked if motion could be amended that these deeds will have to have notification on the deeds. Mr. Jones said deeds were already recorded and this was after the fact. Motion to approval rezone of 5.04 acres from Ag-5 to R-2 for Mr. Noel Harrison carried with Commissioners Alston, Commissioner Simmons and Commissioner Lee in favor of motion and Commissioner Beacham and Commissioner Smith opposing the motion.

Chairman Anderson asked Mr. Jones to present the next item, Zoning Amendments.

Mr. Jones said the first amendments for consideration were amendments to zoning maps. He presented the zoning maps for the Macedonia Community. He explained this proposed amendment was prompted by Macedonia Church which owns a tract of land of about 6 acres with the parsonage on the opposite side of the road from the church and being in a Ag-5 zone that tract cannot be reduced. He said they wanted to create another parcel so they could sell the parsonage and after reviewing the maps it was realized there was basically an actual community there already, most all of the lots are small. He said changing this area to R-40 was proposed but when it came before the Planning and Zoning Commission there was considerable opposition of changing zoning in anyway in this area. He added everyone was in favor of allowing the church to try to rezone their property but was <sup>not</sup> in favor of changing the zoning classification to R-40. He said the Planning and Zoning Commission recommended denying the proposed rezoning of the Macedonia area.

Commissioner Lee asked what options the church has to enable them to sell the parsonage. Mr. Jones explained they could request a rezone for their property.

Commissioner Beacham offered a motion to accept the recommendation of the Planning and Zoning Commission and deny the rezoning for the Macedonia area. Commissioner Smith seconded the motion and it carried.

Mr. Jones presented the zoning map for the Nevils Community and explained this proposed zoning change was basically some verification and corrections of the map for this area. He pointed out on the map how the residential area of Nevils was not designated, no lines were drawn for the residential area and it has no zoning designation. He showed how the residential area is included with agricultural area (Ag-5) and proposed lines separating the residential area from the agricultural area, change from this area Ag-5 to R-25. He said this was obviously an error, it should have been zoned residential when maps were drawn.

Commissioner Beacham offered a motion to accept recommendation of Planning and Zoning Commission to zone residential area of Nevils Community R-25 as outlined on maps. Commissioner Alston seconded the motion and it carried.

Mr. Jones reference the lines for general commercial on the map for Nevils and explained it was proposed to add parcels 16 and 17 to general commercial zone. He advised these were zoned Ag-5 but because of being corner lots these should be added to the commercial, this change makes this zone more consistent. He said another change proposed is to correct lines for general commercial which now run out into land which is being used for agriculture, bring these lines in to include what is commercial and put agricultural lands in Ag-5.

Commissioner Smith offered a motion to accept recommendation of Planning and Zoning Commissioner to rezone area of Nevils Community to General Commercial as outlined on maps. Commissioner Alston seconded the motion and it carried.

Mr. Jones remarked the next proposed amendments are textual amendments to the Zoning Ordinance and gave a brief explanation for the amendments to each section of the Code. There were proposed amendments to these sections of the Zoning Ordinance: Section 230; Section 411; Section 413; Section 503; Section 603; Section 703; Section 803; Section 903; Section 1503; Section 1603; Section 1703; Section 1903. Mr. Jones concluded the Planning and Zoning Commission recommended approval of these proposed amendments to the Zoning Ordinance.

Commissioner Smith offered a motion to approve Zoning Ordinance Amendments

as recommended. Commissioner Alston seconded the motion and it carried. See exhibit #1995-34.

Chairman Anderson deviated from the agenda and recognized City Councilman Charles Brown and City Planner Joe Moseley.

Mr. Brown said he and Mr. Moseley were present for several reasons, one was to seek the Commissioners' support of the concept of a standing Task Force regarding affordable housing in the city and county. He explained some months ago the City Council, recognizing the need for affordable housing and the fact that federal funds for this purpose was disappearing, setup a Committee to study how the city could support affordable housing. He said recommendation to City Council by Mr. Wayne Akins of Wachovia, Chairman of that Committee, was the formation of a standing Task Force and suggested the makeup of delegates be from the realtors, the home builders, the county and the city. He concluded he and Mr. Moseley would suggest a couple of people be designated by the Commissioners to serve on the Task Force, there is no opinion whether these should be lay persons or Commissioners and Councilmen. He said their suggestion is that the Mayor and Chairman consult about the two people from each the city and county and make commensurate appointments, perhaps someone from planning in the county and someone from planning in the city and a Councilman and a Commissioner or volunteers from the city and the county. He said this was provided for information for the Commissioners' consideration.

Mr. Brown said another purpose for their presence was to invite the Commissioners to be the guests of the Home Builders at a meeting beginning at 7:00 P.M. on Thursday night at the Country Club. He advised the speaker would be a developer from Savannah, a private businessman, who has brought some affordable housing to Savannah.

Mr. Brown said they also asked the Commissioners for their support and county participation, along with the city, in the Chamber's annual cleanup effort. He advised there would be a planning meeting of the Cleanup Committee on Thursday, October 12th at 5:30 p.m. at City Hall and the Community Cleanup Day is set for October 28th. Mr. Brown thanked the Commissioners for their consideration of these projects.

Chairman Anderson informed Mr. Brown that he would meet with the Mayor in the near future and discuss the Task Force.

The next item for consideration was the 1995 millage rate. Chairman Anderson said the required advertisement of the proposed millage rate had been run in the newspaper and formal action was needed to adopt the millage rate.

Commissioner Lee asked last year's millage rate compared to this year's rate. The 1994 net millage for unincorporated area was 9.83 compared to 9.56 for 1995 and the 1994 net millage rate for the incorporated area was 11.84 compared to 11.35 for 1995. Commissioner Lee remarked the millage for 1995 was lower for both the unincorporated area and the incorporated area than the 1994 rates.

Commissioner Lee offered a motion to adopt the 1995 millage rates. Commissioner Beacham seconded the motion and it carried. See exhibit #1995-35.

The next item for discussion was the bids for air conditioner at the courthouse. Chairman Anderson said everyone was familiar with the problems with the air conditioner serving the courtroom. He said bids were received to replace this unit and the architects have said this replacement will conform with the courthouse renovation.

Commissioner Smith asked if the architects agreed with the specifications and were assured this would meet requirements when renovations begin. Mr. Wood advised that the architects wrote the specifications.

Commissioner Smith asked if this project would be paid by optional sales tax proceeds designated for the courthouse project. Chairman Anderson said yes, that was the recommendation.

Bids received were: Eagle Heating & Air - \$24,515; Roscoe Laircey Company - \$24,882; The Sack Company - \$27,218.

Upon motion by Commissioner Beacham, seconded by Commissioner Alston and carried, bid from Eagle Heating & Air for \$24,515 to replaced air conditioner for courtroom at the courthouse was accepted.

Chairman Anderson said the next item was not on the agenda but he was presenting it for the Board's information and action at the Board's discretion. He advised a request was received from Ms. Peggy Chapmen and the Development Authority to name a road at the Gateway Industrial Park. He asked Mr. Wood to give the details.

Mr. Wood said the road is proposed to be named the F.P. Stratton Road and he thought this was a formal recommendation from the Development Authority.

Chairman Anderson said there were two roads into the park which serves Briggs and Stratton, one is Jimps Road which forks off and goes south on what was thought to be named Zell Miller Blvd. He commented the Development Authority through Ms. Chapman is suggesting this road be named F.P. Stratten Road. He said when he asked Ms. Chapman which road they planned to name for the Governor she said they wanted to change Jimps Road. He told Ms. Chapman a Public Hearing would be required to change any road name.

Commissioner Smith offered a motion to table this item. Commissioner Lee seconded the motion and it carried.

Chairman Anderson said earlier in the meeting there was some discussion of notification to attorneys about documentation on deeds of property in agricultural zones and asked if Commissioners wanted to take some action for notification to attorneys.

Mr. Jones explained the state law requiring this documentation and when and how the deed was to be stamped.

Commissioner Smith suggested Mr. Jones prepare a Resolution for notification to the attorneys for the Board's consideration.

Mr. Jones said this is a state law and a letter from Chairman Anderson reminding attorneys of the law might be more appropriate.

It was agreed Mr. Jones will draft a letter for Chairman Anderson's signature to request deeds for property in agricultural zones be documented as per state law.

Chairman Anderson asked for other business. Mr. Frank Parker asked to address the Board.

Mr. Parkers said some counties treat the insurance rollback for unincorporated areas differently in considering the millage rate and he would like the Board to consider how this rollback is handled in the future. He remarked approximately 44% of taxes are collected in the incorporated areas with 56% in unincorporated areas. He said some county expenditures serve both city and county residents but the majority of expenditures serve only county residents, his request was to ask the Board to make tax collection more representative of how the funds were expended.

Chairman Anderson asked Mr. Parker if he knew how the revenues were being spent percentage wise, county and city.

Mr. Parker said he did not know, he did realize there was some spent just in the county and some spent just in the city, but he thought the majority of funds were being spent in the county because the city provides certain services.

Chairman Anderson said there are a lot of services the county provides for city residents and the city and county work together to provide joint services. He remarked the Commissioners want to provide services to all of Bulloch Countians regardless of where they live.

There was some discussion of how the insurance premium tax rollback tax is handled and services provided by the county to city residents which aren't provided by the city such as E911, EMS, Sheriff Department, Courts and others.

Chairman Anderson asked Mr. Jones to give an update on Settlement Road. Mr. Jones advised the Supreme Court had denied the appeal of this case and Evans and Bulloch Counties were proceeding with the survey of the road.

Chairman Anderson asked for other business or discussion. Mr. Wood advised the Planning and Zoning Commission was meeting on Wednesday evening for an informal work session to review administrative considerations and problems to fine tune the zoning process. He invited Commissioners to this meeting.

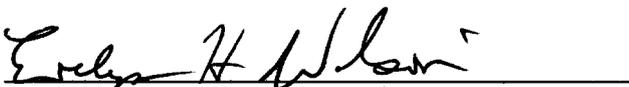
Ms. Miriam Hunter asked if the Hospital Authority would be dissolved after the business of the hospital sale is completed, how long will there be a Hospital Authority.

Chairman Anderson said he didn't know how long there would be a Hospital Authority, but they should be in existence as long as there is property under their discretion.

Commissioner Smith said, according to law, the only way the Hospital Authority can be dissolved is by resolution from both the Commissioners and the Hospital Authority. He said he thought when the property and funds are resolved the nature of the Authority will change, he didn't know how. He added he thought the committees determining what happens with the existing facility and funds from the sale will have some bearing on what happens with the Authority.

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

  
E. Raybon Anderson

  
ATTEST

October 17, 1995  
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 Hodges and Commissioner Smith present. Commissioners Simmons, Beacham and Lee were absent.

Chairman Anderson called the meeting to order and welcomed the news media and 13 visitors. Commissioner Smith gave the invocation.

Minutes of the Public Hearing on October 3, 1995 and the regular meeting on October 3, 1995 were presented. Upon motion by Commissioner Smith, seconded by Commissioner Alston and carried, minutes of these two meetings were approved as presented.

The first item of old business was the final adoption of the revised Soil Erosion and Sedimentation Control Ordinance. Chairman Anderson asked Mr. Ken Jones to present this item.

Mr. Jones said this revised Ordinance had been present twice and requirement had been met for final adoption. He explained this revision was based on new

state law and new soil stewardship management practices.

Upon motion by Commissioner Hodges, seconded by Commissioner Smith and carried, the revised Soil Erosion and Sedimentation Control Ordinance was adopted. See exhibit #1995-36.

There was no other old business for discussion or action.

Chairman Anderson presented a Proclamation proclaiming the week of October 21-31, 1995 as Red Ribbon Week and the Commissioners' support of the Red Ribbon Campaign. He recognized Ms. Susan Pajari, Red Ribbon Campaign Chairman for the Bulloch Alcohol and Drug Abuse Council.

Ms. Pajari gave a list of activities planned for the week and thanked the Commissioners for their support of this campaign.

Commissioner Alston offered a motion approving the Proclamation proclaiming the week of October 23-31, 1995 as Red Ribbon Week. Commissioner Smith seconded the motion and it carried.

Chairman Anderson said this was very good program and encouraged all citizens to support this campaign. Chairman Anderson signed and presented the Proclamation to Mr. H.W.B. Smith, Chairman of the Bulloch Alcohol and Drug Abuse Council.

Chairman Anderson recognized Mr. Kenny Stone. Mr. Stone said, as Chairman of the Development Authority, he was requesting action be considered on an item tabled at the last Board meeting. He continued their request was to rename two roads in the Gateway Regional Industrial Park; the main road from Highway 301 South going to Wal-Mart now named Jimps Road and the road from Jimps Road running in front of the Briggs & Stratton site which was to be named Zell Miller Boulevard. He said their request was for the main entrance road (Jimps Road) be renamed the Zell Miller Boulevard and the road in front of Briggs and Stratton be named F.P. Stratton Boulevard. He gave the reasons for this request, Briggs and Stratton has made a significant impact on this community which will continue for years to come and the state gave significant financial support for Gateway development which is directly linked to the Governor. He advised the Development Authority requested and recommended naming of these particular roads. He advised Briggs and Stratton have planned a Grand Opening for November 2nd and the Authority would like the Board to take action on this issue before that date.

Commissioner Smith said Jimps was a very old community and the only recognizable facet still relating to Jimps is Jimps Road. He said he thought some heritage would be destroyed if the road name is changed and he saw no real purpose to be gained, more to be gained by leaving road name Jimps Road.

Commissioner Hodges suggested erecting signs on Highway 301 South designating the original boundaries of the Jimps Community.

Commissioner Smith said there should have been better planning from the beginning, something with Jimps in mind rather than just strike it from record. He added he wasn't opposed to naming roads but was opposed to changing a very historical name.

Commissioner Alston asked if the required procedure to rename a road had been followed, did they have the signatures of property owners agreeing to have the road name changed. He was advised this requirement had been met.

There was some discussion of the need for a Public Hearing. Chairman Anderson said no Public Hearing was required but with previous road names changes the community in the area had been notified the issue would be on the meeting agenda.

Commissioner Hodges said, to bring the matter to the table, he would offer a motion to change the name of Jimps Road to Zell Miller Boulevard and name the

road in front of Briggs and Stratton the F.P. Stratton Road or Boulevard with signs recognizing Jimps Community to be erected on both sides of Highway 301 South.

Chairman Anderson asked for a second for Commissioner Hodges' motion. There was no second and the motion died.

Commissioner Alston asked if the road in front of Briggs and Stratton had been named. Chairman Anderson said no, this road has not been officially named and the Development Authority could name the road.

Commissioner Alston asked if the Development Authority wanted action on the F.P. Stratton Road.

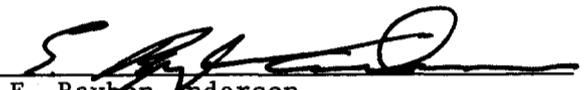
Chairman Anderson said that was the original request from Ms. Chapman and she was advised the Governor had told a road in the Park would be named for him. He suggested the Commissioners discuss this issue and if they feel some action can be taken, a meeting will be called before November 2nd to deal with this issue.

Commissioner Smith said he thought it had been dealt with. Commissioner Hodges comment he thought the statement made to the Governor needs to be honored.

Chairman Anderson asked for other comments or business. He announced the Executive Session was cancelled and would be rescheduled.

Upon motion duly made, seconded and carried, the meeting was adjourned subject to call.

  
 ATTEST

  
 E. Raybon Anderson

November 7, 1995  
 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 16 visitors. Commissioner Alston gave the invocation.

Minutes of the regular meeting on October 17, 1995 were presented. Upon motion by Commissioner Simmons, seconded by Commissioner Alston and carried, minutes of the regular meeting on October 17, 1995 were approved as presented.

Chairman Anderson asked Commissioner Lee to present the first item of old business, update on Bulloch County's Bicentennial.

Commissioner Lee said 1996 marks the 200th year Bulloch County has been chartered and commented that he and Mr. Julian Deal had the honor to Co-chair the group working on the Bicentennial celebration and there was a lot of interest shown by the community. He presented a summary of events planned for 1996 and said he thought 1996 would be a great year for Bulloch County.

There was no other old business for action or discussion.

Chairman Anderson said he would deviate from the agenda and asked Mr. Ken Jones to comment on Zoning Commission Appeal by Mr. Martin Meeks.

Mr. Jones advised that Mr. Peed, attorney for Mr. Meeks, had requested, and it was mutually agreed, for this item be tabled until the first meeting in December or a time suitable to the Commission. He explained they wanted to preserve the appeal, this wasn't a complete withdrawal, but asked it be tabled at this time.

Commissioner Smith offered a motion to table the Zoning Commission Appeal by Mr. Martin Meeks. Commissioner Simmons seconded the motion and it carried.

Chairman Anderson asked Mr. Jimmy Dodgen to handle the items for Planning and Zoning, Variance for Mr. Danny Clifton and Rezoning Request for Mr. Howard Price.

Mr. Dodgen said the request for a variance was for property located off Akins Pond Road and currently had five lots with a private dirt road. He explained the Subdivision Ordinance required a road to be paved if there were more than five lots and the request for a variance was to allow a 60 acre lot be divided into two 30 acre lots and allow the road to remain a private dirt road, this would put six lots on a private dirt road. He advised the Planning and Zoning Commission recommended granting this variance, some reasons for granting the variance were; it was thought this tract was already in two tracts and there is not other access to this property other than this private dirt road. Mr. Dodgen presented plats of the property and explained how parcel would be divided.

Commissioner Lee commented the Planning and Zoning Commission would have to approve any further subdivision of this property. Mr. Dodgen said that was correct.

Commissioner Lee offered a motion to accept recommendation of Planning and Zoning Commission to approve this variance. Commissioner Alston seconded the motion. In discussion Chairman Anderson asked if motion could include that the plat and deed state that this property is on a private dirt road. Motion to approval variance to allow another parcel to be created was carried with requirement that statement be put on plat and deed that property is on a private dirt road.

Mr. Dodgen presented a rezoning request to rezone approximately 27 acres of land from current zone of Ag-5 to R-40 by Mr. Howard Price. He explained this property was just off Old River Road on Brannen-Hodges Road and Mr. Price's intent was to place rental income properties on this tract of land and provide a residence location for his son. Mr. Dodgen advised there was some opposition to this rezone request and the Planning and Zoning Commission recommended denial of this request.

Chairman Anderson recognized Mr. Gates Peed, attorney for Mr. Price. Mr. Peed presented a plat of property and plat showing how tracts would be divided if request is granted. He explained if the property is rezoned to R-40, there would be 10 parcels, with lots 1 through 5 available for additional houses, Mr. Price's son lives on lot 6, a rental house is on lot 7, Mr. Price's stepdaughter lives on lot 8 and lot 9 is unavailable for development because of drainage ditch, lot 10 will be given to another son. Mr. Peed said the property is narrow, has low lands along the backside, it is presently wooded, a good portion of the property is sandy and not suitable for farming if it was cleared. He continued it doesn't even grow trees very well and the only purpose it is good for would be to put houses on it so some return could be derived from the property. He reviewed the standards in the Zoning Ordinance and said this request for rezoning to R-40 is not totally inconsistent with development already in this area, across Old River Road, and not totally inconsistent with other standards. Mr. Peed presented pictures of houses already on 3 of the 4 lots and said this is on a dirt road but rezoning would hardly effect the population density at all. He added rezoning will not substantially effect another property owner, will not effect any adjoining property owner, other property owner is separated by the dirt road. Mr. Peed remarked that, unless

this property could be used in some productive way, Mr. Price is paying taxes on the property and has no other benefit than saying he owns the property. He said, because this rezone does not substantially effect any adjoining property owner, because property cannot be used as zoned, because it is not inconsistent with area, the request for rezoning should be granted.

Commissioner Beacham asked width of right-of-way on the dirt road. He was told it was a standard dirt road, probably 30 feet. He remarked under the present configuration it couldn't be paved, it would have to be widened to 80 feet, was there a possibility of getting necessary right-of-way to make the 80 feet. He said one concern was putting more and more houses on dirt roads, thus putting more traffic on dirt roads, if there was 80 foot right-of-way, there would be the possibility of paving the road at some point in the future.

Commissioner Alston commented the Planning and Zoning Commission's statement was they felt there is no need for additional housing in the area, and the dirt road is too small for additional traffic.

Commissioner Lee asked if balance of property was too low for development, application was for rezone of entire 27 acres.

Mr. Peed responded a portion of the property was low and not developable, but he wouldn't say that there might not be another 2 or 3 lots that could be developed.

Mr. Dodgen remarked part of the property falls within the 100 year flood plain which makes the property narrow.

Mr. Price said property gets wider on west end at lot 1 and he had no intention of developing other lots, but would still like to have that possibly.

Chairman Anderson asked if there were others who would like to comment on this request.

Mrs. C.B. Brannen said she would like to see this property left as it is, the dirt road is the only access to this property and there would be more traffic on this road which is right back of their home. She added she felt this would lower the property value of their property.

Mrs. Brannen daughter said this dirt road was very close to the back of her parents' house. She said their main concern was the increased volume of traffic on this small dirt road. She added they were also concerned if property is rezoned, more than 5 lots will eventually be developed.

Mr. Peed said he understood how people feel, but he would defend property owners' rights to their property, he felt extremely strong about this position, situations with zoning and subdivisions is a balance between property owners' rights and public welfare and there is an objective criteria to be followed. He added, he meant no disrespect to anyone, but for someone to say we just don't want more people in the area is not a valid reason. He urged a decision based on standards.

Commissioner Alston commented the Zoning Commission stated the road is insufficient for increased traffic and he would like for someone to address this issue, he thought this would be a different proposal if there was a sufficient roadway.

Commissioner Smith asked if land directly across the road from this property was agricultural land. He was told yes, it was. Commissioner Smith said one issue the Board has been very concerned with Zoning is maintaining some separation between agricultural operations and residential development.

Commissioner Smith offered a motion to uphold the recommendation of the Planning and Zoning Commission to deny the rezoning request of Howard Price. Commissioner Beacham seconded the motion and it carried.

Mr. Peed asked the specific reason stated for denying this request.

The reasons for denying the request were concerns about the road being insufficient for increased traffic and property is directly adjacent to agricultural lands. Commissioner Beacham added concerns of more development than 5 lots, the plat shows right-of-way left to remainder of property which was obviously left for future development.

Chairman Anderson presented the next item, Resolution for RDC realignment. He remarked the Board had adopted this Resolution last year and it needed to be adopted again this year so it could be submitted to the Department of Community Affairs.

Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, the Resolution requesting RDC realignment for Bulloch County was adopted. See exhibit #1995-37

Chairman Anderson presented the next item, Landfill Monitoring, and said approval was needed for additional groundwater monitoring at the landfill at a cost of 95,475. He explained funds will come from the Landfill operating funds and could possibility be refunded by the EPD.

Commissioner Alston offered a motion to authorize additional monitoring at the landfill at a cost of \$95,475. Commissioner Simmons seconded the motion and it carried.

Chairman Anderson asked Mr. Tatum to present the next item, Brooklet Fire Station paving. Mr. Tatum advised that bids were sent to eight contractors and two bids received were: Ellis Wood - \$17,036; Reeves Construction - \$27,037.95. He recommended accepting bid of \$17,036 from Ellis Wood.

Upon motion by Commissioner Simmons, seconded by Commissioner Smith and carried, bid of \$17,036 from Ellis Wood for paving at Brooklet Fire Station was accepted.

Chairman Anderson said the next item, Cleary Road Closing, was on the agenda for discussion purposes. He referenced aerial map which showed the section of Cleary Road to be closed and also showed a new road to be built to replace the section being closed. He commented the section of road to be relocated is the section by Sheppard Lumber Company which has a conveyor across the road and presents real hazard in this area. He added relocating this section of road has been needed for some time, the proceeding Board, as well as the present Board, had worked on this project.

Commissioner Smith asked if the new road deeded to the county would have sufficient right-of-way if the county decided to pave the road in the future.

Chairman Anderson said yes, 80 foot right-of-way would be deeded for the new road. He said Mr. Sheppard wanted some commitment from the Commissioners before he bought this property. He asked Mr. Jones what action the Board needs to take at this point, this portion cannot be closed until new road is built.

Mr. Jones said the Board needs to approve the concept of relocating the road and authorize advertising closing of this portion of the road.

Commissioner Beacham offered a motion to approve the concept of closing a portion of Cleary Road subject to receipt of right-of-way to relocate the road and that road being built. Commissioner Alston seconded the motion. In discussion Commissioner Lee asked cost to build the road. Mr. Tatum said Mr. Sheppard will cut timber off right-of-way, there will be some stumps to clear, but cost to build this short distance, .2 mile, shouldn't be that great. Commissioner Lee asked if Mr. Sheppard giving this right-of-way would offset cost of building road. Chairman Anderson commented having the road moved was worth eliminating the liability the county now faces. Motion to approve concept

of closing a portion of Cleary Road subject to receipt of right-of-way to relocate the road was carried.

Chairman Anderson asked for other business or discussion. He advised an Executive Session was needed to discuss possible land acquisition.

Upon motion by Commissioner Smith, seconded by Commissioner Beacham and carried, the meeting was adjourned and moved into Executive Session.

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

  
 ATTEST

  
 E. Raydon Anderson

November 21, 1995  
 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 Commissioners Smith present.

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

Minutes of the regular meeting on November 7, 1995 and minutes of the Executive Session on November 7, 1995 were presented. Upon motion by Commissioner Beacham, seconded by Commissioner Alston and carried, minutes of these two meetings were approved as presented.

The first of old business was an update on the Solid Waste Compactor Sites by Mr. Bob Smith. Mr. Smith reported that five compactor recycling centers were now in operation with the sixth center to open within the next two weeks. He advised a site has been located for a recycling center in the City and the City has given the County land for a center on Langston Chapel Road which should be completed by last spring or early summer. He added this year's budget also includes a center at Middleground where construction will begin after the city center is completed. He remarked site for two centers have already been located to propose for next fiscal year's budget. He advised that collections and participation in recycling have been good, 15 tons of plastic collected over 1½ years, 20 tons of magazines on hand to be sold, 20 tons of newspaper sold with another 20 tons on hand, 41 tons of glass marketed with 35 tons on hand, 4 tons of aluminum sold. He said that there were about 40 containers for cardboard recycling covering about 100 businesses and three industries in the county and 100 tons of cardboard marketed this year with about 80 tons on hand. He advised the trips of solid waste trucks have been greatly reduced in areas where compactor sites have been opened. He said future projects include completion of the mobile education unit, Union Camp donated trailer for this purpose, and a \$5,000 grant has been received from GEFA for this project. Other future projects are recycling of mixed office paper collected from throughout the business community, about 30% of waste stream going into the landfill is paper of which 17% is mixed office paper. He advised bids are being prepared for a "Bobcat" type loader, which will be purchased with funds coming from the landfill tippage fee, to handle crushed glass and plastic. Mr. Smith briefly discussed the holiday schedule for Christmas and said centers would be open on

Christmas eve from 1:00 P.M. to 5:00 P.M., centers would open at 6:00 A.M. the day after Christmas and attempts would be made to open some centers on Christmas afternoon.

Commissioner Alston asked would pickup of dumpster sites be accelerated during the holiday season.

Mr. Smith said regular routes would be maintained with the hot spots picked up twice on Saturday before Christmas but landfill hours were limited because of holiday schedule.

Commissioner Beacham said about ten compactor sites were originally planned, five sites are open and six more planned, what happens next, six to eight months from now.

Mr. Smith said, if he remembered correctly, ten sites were budgeted through the last Special Multi-purpose Sales Tax, but he didn't think there was ever a figure of only ten sites in the county, ten sites will not cover the county.

Commissioner Smith said he would like to compliment Mr. Smith and his staff for accomplishments in the last year and half, taking this project for compactor sites from ground zero to present status.

Chairman Anderson asked for other business or other discussion.

Chairman Anderson asked Mr. Ken Jones to present the first item of new business, Street Light District Ordinance Amendment. Mr. Jones remarked this would be the first reading to present a proposed amendment to the Street Light District Ordinance. He explained wording would change in Section 12-107(a) pertaining to required percentages of property owners signing petition, new wording include petitions where proposed streetlighting extends beyond a platted and developed subdivision. If proposed lighting district is a platted, developed subdivision, the required percentage would remain at 75 percent of property owners, if proposed lighting district extends beyond a platted, developed subdivision, the required percentage would be 90 percent of property owners within the proposed district.

Commissioner Beacham remarked he didn't think this was a proper change, it appears the effort to protect people outside the platted subdivision could actually give the people inside the platted subdivision the ability to override those outside. He said he thought it would be best to remain with the 75 percent required within the platted subdivision and 75 percent required outside the platted subdivision.

Chairman Anderson said this amendment was prompted by the last petition presented for a streetlighting district, it was decided the Ordinance should have wording for petitions which could include areas outside of platted subdivisions.

Commissioner Smith commented some boundaries also need to be established for a lighting district which is outside a platted subdivision, need a good designation, and this amendment may need wording to have boundaries specifically drawn and have 75 percent of those owners sign the petition.

Commissioner Lee said the 90 percent requirement would encourage just platted subdivisions to petition for streetlighting districts.

There was some discussion of wording of amendment and required percentage of property owners to sign the petition for streetlight district.

Commissioner Hodges asked if the change was accepted as written, would there have to be another first reading.

Chairman Anderson asked if proposed wording for 90 percent could be changed to 75 percent and this be the first reading.

It was decided this would serve as first reading of amendment with proper wording to be presented to Board for final adoption.

The next item of new business was acceptance of tract of land from State Farm Insurance. Chairman Anderson asked for discussion of acceptance of .79 acre parcel located on Ben Grady Collins Road to be deeded to county by State Farm. He explained this was a tract of land where a house burned and State Farm Insurance Company obtained the tract in the insurance settlement. He said his first question was about any contamination on the property and he was told there was no contamination.

Commissioner Hodges questioned if there could be some contamination and whether it would be worth having an environmental study done.

Mr. Wood commented the house consumed half of this small lot and he didn't think there was much room for chemical contamination.

Commissioner Smith offered a motion to accept the .79 acre parcel from State Farm Insurance. Commissioner Alston seconded the motion. The motion carried with Commissioners Alston, Simmons, Beacham, Lee and Smith voting in favor of the motion and Commissioner Hodges voting to oppose the motion.

The next item of business was bids and recommendation for paving of Westside Compactor Site. Commissioner Smith offered a motion to accept the low bid of \$12.00 per square yard submitted by Ellis Wood Contracting. Commissioner Alston seconded the motion and it carried.

The next item of business was bids on Georgia Southern University access road. Chairman Anderson explained this was vehicle to get the a State contract with no cost to Bulloch County, cost will be paid by D.O.T. and Georgia Southern.

Commissioner Hodges offered a motion to accept the low bid of \$949,542.58 submitted by R.B. Baker Construction. Commissioner Lee seconded the motion and it carried.

Chairman Anderson asked for other business or comments. Mr. Wayne Franklin voiced a concern regarding road name signs being stolen and present a resolution for the Board consideration.

Commissioner Smith said this was a real problem in the county and offered a motion that Mr. Jones review what the county has for road signs and present any additional resolutions needed for Board consideration. Commissioner Lee seconded the motion and it carried.

Chairman Anderson asked for other business or discussion. Commissioner Lee asked about heating for Stilson Community Center. Mr. Ted Wynn said estimate of of about \$700 was obtained to heat the Center and now it was a question of appropriation of funds. He added he thought Probate Judge Lee Deloach should make the decision since this was a voting precinct.

Chairman Anderson said, before any commitment is made, enough needs to be appropriated for needs in other voting precincts and authorization given to the County Manager to approve request for improvements when received.

After some discussion of possible needs at voting precincts, Mr. Wood was asked to make a study of all voting precincts for the Board's review.

Chairman Anderson asked for other business or discussion. He stated an Executive Session was scheduled to discuss land acquisition and pending litigation.

Upon motion by Commissioner Simmons, seconded by Commissioner Alston and carried, the meeting was moved into Executive Session to discuss land acquisition and pending litigation.

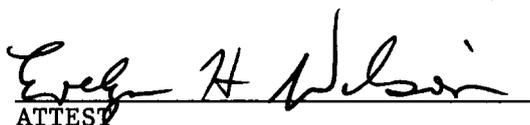
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Regular meeting was reconvened. Chairman Anderson asked for other business or discussion.

Acquisition of property from Mr. Holmes Ramsey for the Judicial Annex

project was discussed. Commissioner Beacham offered a motion to formally offer \$68,200 for the property and if that is not accepted, action be taken to condemn the property. Commissioner Simmons seconded the motion. In discussion Commissioner Smith asked about setting a time table for Mr. Ramsey's response. Commissioner Beacham said to ask Mr. Ramsey to respond within five days. Mr. Franklin suggested a final letter, as questioned by Mr. Wood, be written to Mr. Ramsey. Motion to offer \$68,200 for purchase of property, giving five days for Mr. Ramsey's response, and authorizing action be taken to proceed with condemnation of the property if the offer is not accepted was carried. Mr. Wood, with assistance from Mr. Franklin, will write letter making formal offer to Mr. Ramsey.

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

  
 ATTEST

  
 E. Raybon Anderson

December 5, 1995  
 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, Commissioner Hodges and Commissioner Smith present.

Chairman Anderson called the meeting to order and welcomed the news media and 36 visitors. Commissioner Beacham gave the invocation.

Minutes of the regular meeting on November 21, 1995 and minutes of Executive Session on November 21, 1995 were presented. Upon motion by Commissioner Simmons, seconded by Commissioner Beacham and carried, minutes of these two meetings were approved as presented.

Chairman Anderson announced the first item of old business, Planning and Zoning Appeal by Martin Meeks, was being removed from this agenda and was to be handled at a later meeting.

Chairman Anderson asked Mr. Ken Jones to present the next item, Street Light District Ordinance Amendment.

Mr. Jones said the first reading of this amendment was at the last meeting and there had been some discussion with respect to how to treat street lighting tax district petitions when there are parcels outside a platted subdivision included in a proposed street light tax district. He explained the way to achieve the greatest amount of equity is require 75 percent of the property owners outside the subdivision and 75 percent of property owners inside the subdivision sign the petition if it is a combination of parcels outside a subdivision and parcels inside a subdivision. He added if it is not a combination of parcels, then 75 percent of property owners in the proposed lighting district would be required to sign the petition.

Commissioner Beacham offered a motion to adopt the Street Light District Ordinance Amendment as presented. Commissioner Simmons seconded the motion and it carried. See exhibit #1995-38

Chairman Anderson asked Mr. Jones to discuss the next item, road signs. Mr. Jones advised he had done some research on the questions raised by Mr. Wayne Franklin in the last meeting concerning damage and/or theft of road signs. He remarked that he and Mr. Jimmy Franklin agreed that there were already ample State Laws on the books dealing with these offenses. He stated there are two

possible State Code violations, both are felonies. He added the County Code of Ordinances had a section on misuse and destruction of county property which includes road signs. He said the Sheriff has enforcement power of the State Law and the County Ordinance. He commented if anyone know the whereabouts of a road sign or sees someone taking a sign, they should contact the Sheriff's Department.

There was some discussion on more intensive enforcement for road sign destruction. Commissioner Hodges suggested letter from the Commissioners to all law enforcement agencies in the county, Sheriff's Department, Georgia Southern Campus Security, Statesboro Police Department and Georgia State Patrol, telling them the county is losing more signs and it would be appreciated if they be on lookout for signs and try to apprehend people who are taking signs. Mr. Wood commented the greatest eyes and ears won't be people in law enforcement but rather the citizens of Bulloch County. Chairman Anderson added, if the citizens realized what a costly item road signs are in the budget, he thought they would be more aware and report any violators. Commissioner Alston commented maybe the news media could help by publishing information on the cost, because taxpayers ultimately pay this cost.

Commissioner Hodges offered a motion to send letter to all law agencies and asked news media to publish information on the cost of maintaining road signs. Commissioner Alston seconded the motion and it carried.

Chairman Anderson asked for other old business. There was no other old business for discussion.

Chairman Anderson asked Mr. Dodgen to present the first item of new business, Planning and Zoning Rezoning Requests.

Mr. Dodgen said the first rezoning request was from Mark Williams, John Williams and Claire Wise. Their request was to rezone approximately eight acres located on Walter Williams Road from Ag-5 to R-80. Mr. Dodgen explained this land had been inherited by these three people prior to zoning but the property was never divided. He commented they could divide the property if this request was denied, but one person would get five acres while the other two would get one and one-half acres each, they want to equally divide the property. He stated the staff sees no negative impact in the area or the environment and the Planning and Zoning Commission recommended approval of this rezone request.

Commissioner Hodges asked if there was any opposition to this rezone request. Mr. Dodgen replied no opposition had been received.

Chairman Anderson asked for any comments from the audience. There was no response from the audience.

Upon motion by Commissioner Smith, seconded by Commissioner Beacham and carried, the rezone request from Ag-5 to R-80 for Mark Williams, John Williams and Claire Wise was approved.

Mr. Dodgen presented the next rezone request from George M. Kendrick and Jeff Sims, agent. He explained this request was to rezone approximately five acres on Highway 80 and Woodyard Road from Ag-5 to HI (Heavy Industrial). He said truck scales, scale house, office, paint/body shop, heavy machine repair and welding shop are already on the property and all of these will be remodeled and continue to be used. Also an Asphalt Emulsion Distribution Terminal will be added which will be compatible to the current land use, there will no manufacturing of the produce on the property, this will be a terminal for distribution only. He commented the staff has done as much research as possible and found this to be a safe product, one use is to spray it on side of highways to hold soil in place until grass takes hold, that proves its not toxic. He stated the property is next to a church and the members of the

church were quite concerned trucks coming and going to terminal would cause a hazard and endanger children playing around the church. Mr. Dodgen advised the Planning and Zoning Commission recommended denial but the staff has done some research and recommends approval because the property has not been used for agricultural for almost twenty years and the buildings on the property and their uses fall more in compliance with a Heavy Industrial zone. He added the staff's recommendations call for some conditions, entrance be located on Highway 80 not Woodyard Road, a fence separating the business from the church be placed around the entire tract, five acres of the original tract must be left in order to be in compliance with the Ag-5 requirement unless the entire tract is purchased.

Chairman Anderson asked if the church was represented and asked for a spokesman for the church. Mr. Louis Hill introduced himself of Pastor of the church and said when the church purchased their property he thought the access road which runs from Woodyard Road to Highway 80 was included but the deed shows the road was not included. He added he had talked with Mr. Kendrick and Mr. Kendrick said he would give the access road to the church and put up a fence for a buffer. He stated his major concern was big trucks coming in by the church and he was told trucks would not come by the church. Pastor Hill said he was satisfied if these conditions were met.

Mr. General James said his property was by the church and behind the property to be rezoned, the church only has services twice a week but he lives there. He stated he was totally against rezoning the property because once it was rezoned anything could be put there, he was afraid something else was planned for the property. He added he couldn't see why the request should be granted when the church didn't want the terminal there.

Commissioner Simmons commented he understood the church didn't mind if certain conditions were met, he asked Pastor Hill to clarify if this was correct.

Pastor Hill said the concern of the church was the traffic of big trucks turning by the church, but if the fence is put up and if trucks don't come by the church, he didn't see any problem.

Chairman Anderson recognized Mr. Jeff Sims. Mr. Sims said he represented himself and George Kendricks in this rezone request. He presented pictures of property to be rezoned and structures already on the property. He also presented pictures of terminal similar to their plan and plat of property showing placement of facility in relation to the church and Mr. James' property, placement of terminal will be 100 feet from property line.

Mr. Dodgen explained 100 foot side set back is a requirement under Zoning Ordinance if structure abuts anything other than same zone.

Commissioner Smith said he was inclined to be in favor of rezone on the particular lot but he had some problem with rezoning of the entire tract, having several additional acres left, creating a mini industrial park.

Commissioner Beacham asked Mr. Sims how many acres were needed. Mr. Sims said they would probably purchase at least five acres.

There were some questions for Mr. Sims on operation of the terminal. Mr. Sims said the terminal is for storage and distribution, this product is a very safe product and they are required to follow all State guidelines and EPA requirements.

Commissioner Beacham asked if other industry could locate on this property once the property is rezoned.

Mr. Ken Jones said there are certain conditions which can be imposed upon the development of property.

Commissioner Smith asked if there could be a condition that this property

could be used only for the purpose of the Asphalt Emulsion Distribution Terminal and purposes currently carried on. He added he could understand Mr. James' concern.

Mr. Jones replied any condition would have to be notation made on the Zoning Map and it would have to come back to the Planning and Zoning to have that condition removed.

Commissioner Smith offered a motion to approve rezone from Ag-5 to HI for George M. Kendrick and Jeff Sims with the restriction that property can be only be used for existing garage and Asphalt Emulsion Distribution Terminal as proposed. Commissioner Beacham seconded the motion and it carried.

Commissioner Smith added it should be noted the Zoning Commission had recommended denial but that was based on the church members strong opposition and, under the Zoning Ordinance, favorably and opposing opinions are considered. Commissioner Alston added the concerns of the church apparently have been answered and they now have no opposition to the rezone. Chairman Anderson commented, hopefully, the motion with restrictions clarified Mr. James' concern.

Mr. Wood asked if special emphasis should be placed on the fence to make sure the fence is maintained as stable, non-gated fence. Mr. Jones said if the driveway is deeded to church without an easement there will be no access to this property from Woodyard Road.

Commissioner Beacham said he thought the main purpose of the fence was to keep children from wandering from the adjoining church property. Commissioner Hodges added the safety factor was the concern, keeping the children from getting into the truck traffic on the terminal property.

Commissioner Smith agreed to amend his motion to include the condition the fence be erected and properly maintained. Commissioner Beacham seconded the amended motion and it carried.

Mr. Dodgen presented the next rezone request for John Usher. He explained Mr. Usher was requesting rezone from Ag-5 to LI (Light Industrial) of approximately 7.85 acres on Highway 67 about .5 mile from Interstate 16. He stated Mr. Usher intends to sell the property to a company from Savannah which would relocate their office building on the property. He advised the company's business was earth moving, heavy equipment leasing and they would use this property for storage of equipment when not in use and for their office complex. Mr. Dodgen advised there was HC zone on Highway 67 but this operation did not fit that classification. Mr. Dodgen stated the recommendation of the Zoning and Planning Commission was denial because this rezone was not in compliance with Comprehensive Plan which shows this property as residential and agricultural. He added there was some opposition from residents in the area.

Chairman Anderson said comments would be heard from both sides of this rezone request and his only request was that comments not be repetitious.

Mr. Norman Woodward said he was definitely opposition to this property being zoned Light Industrial, why change this one area to Light Industrial when there are industrial parks in the county where this business could locate. He added the buyer has about 100 acres, why can't he locate his business on that property. He said there were several homes in this area and asked the Zoning Commission recommendation to deny this rezone request be upheld.

Mr. Hinton Starling said he lives 500 feet from this property, there are four family homes which joint this property and fourteen homes within 1500 feet of the property. He said they were mainly concerned about the noise levels and he asked the request be denied.

Mr. John Usher said the sale of 7.85 acres on Highway 67 will leave a nine acre buffer around the property. He added the only entrance to the property

would be from Highway 67. He remarked he disagreed with this operation being Light Industrial, originally they wanted to go into Highway Commercial as a special use but Planning and Zoning felt it would be better to go Light Industrial. He said they would not be manufacturing, some equipment would be stored on property but most of it is on job sites. He commented, in response to other acreage owned by the buyer, the buyer wanted to keep his business operations away from his residence for a number reasons.

Commissioner Lee asked why the Light Industrial classification. Mr. Dodgen said this classification was because of the parking heavy equipment. Mr. Jones added rental and leasing services for all types of equipment were permitted uses under Light Industrial and these didn't fall in any other commercial categories.

Commissioner Beacham asked if maintenance and repairs to vehicles would be done at this location. Mr. Usher said yes, there will probably be some work done on trucks.

Mr. C.P. Spell said he sold this property to Mr. Usher, it was directly in front of his home, he was retired and planned to live there the remainder of his life and he didn't want the noise associated with this business or the value of his property to decrease.

Commissioner Smith offered a motion to sustain the recommendation of the Planning and Zoning Commission to deny this request for rezoning. Commissioner Hodges seconded the motion and it carried.

Chairman Anderson said the next item was Board Appointments and advised the Planning and Zoning Commission appointment was to be handled at a later meeting. He advised there was a term expiring on the Board of Tax Assessors and asked Mr. Wood to present this information.

Mr. Wood advised, in an informal discussion, Chairman Anderson and Chief Tax Appraisal recommended Mr. Marion Hulsey be reappointed to the Board of Tax Assessors.

Upon motion by Commissioner Hodges, seconded by Commissioner Alston and carried, Mr. Marion Hulsey was reappointed to the Board of Tax Assessors.

The next item was Beer and Wine Renewal Applications. Chairman Anderson called attention to listing of Renewal Applications and special attention to notation of Sheriff Akins on application of Harold Marsh. Mr. Marsh had applied for a on-premises and off-premises license but Sheriff Akins had recommended an off-premises only.

Commissioner Hodges offered a motion to approve Beer & Wine License Renewal Applications as submitted with exception that application for on-premises consumption for Middleground Convenient Store be denied, this application is approved for off-premises consumption as noted by Sheriff Akins. Commissioner Beacham seconded the motion and it carried.

Beer and Wine License Renewal Applications approved were:

Off-Premises

Marsha D. Monkiewicz - Leefield Grocery

Jack Edenfield - The Country Store

Wayne Lindsey - The Eagle Corner

Harold L. Marsh - Middleground Convenient Store

On-Premises

Mary Beth Stafford - Bill's Place

Chairman Anderson recognized Mr. Linwood McNure to present the next item, Annual Forestry Report. Mr. McNure presented a report of activities of Bulloch County Forestry Unit for fiscal year 1994-1995 and commented on some details in the report, 75 wildfires which burned 165.5 acres, 267,500 total acres protected, 2130 burning permits issued, cost of \$1.05 per acre for fire protection. Mr. McNure commented that he and his staff appreciated the Commissioners' support.

Chairman Anderson said the Airport Committee is recommending some airport

property be leased to the Bulloch County Horseman Association and the Board of Commissioner needs to sanction the lease. He recognized Mr. Dennis Pope, President of the Bulloch County Horseman Association.

Mr. Pope stated in the first phase they planned to build an outdoor arena, concession stand, handicap accessible restrooms, at cost of \$20,000-\$30,000. He commented they have 35 paid memberships involving over 100 people. He said there has been a question of will the facility and the arena make Bulloch County proud and his answer was yes.

Commissioner Smith commented he was a part of this Association in previous years and it was a good organization offering good, clean fun which brings people from other areas into the county. He said he thought it could be considered a facet of recreation program in county.

Commissioner Hodges offered a motion to approve lease of airport property to the Bulloch County Horseman Association. Commissioner Simmons seconded the motion and it carried.

Chairman Anderson commented this lease will not be finalized until it is approved by City Council and the contracts are completed and signed.

Chairman Anderson said the next item for consideration was not on the agenda, this was a Resolution for condemnation of property needed for judicial annex building.

Commissioner Beacham offered a motion to approve Resolution condemning property owned by T. Holmes Ramsey necessary for the construction of Bulloch County Courthouse Annex. Commissioner Alston seconded the motion and it carried. See Exhibit #1995-39

Chairman Anderson asked for other business. Commissioner Beacham said he happened to mentioned to the Probate Judge that he thought the County Commissioners should be nonpartisan and the Probate Judge agreed and suggested that all Constitutional Officers would all be better served by being nonpartisan. He said all Constitutional Officers were contacted after this conversation and all support being on a nonpartisan basis. Commissioner Beacham commented one big advantage for having nonpartisan elections is that all fees, which now goes to the respective parties, would stay in Bulloch County. He said he would like to proceed with proper procedure to make this change.

Commissioner Beacham offered a motion to proceed with process to make all Constitutional Officers nonpartisan. Commissioner Hodges seconded the motion for discussion purposes. Chairman Anderson advised this item will be part of the legislative recommendations from ACCG, it's on that policy. Chairman Anderson commented the local representatives have previously turn a deaf ear on this subject and he thought they were aware the other Constitutional Officers were in favor of this change, but evidently the local representatives were not. Commissioner Hodges asked if this request for change needs to come from the Commissioners or come from all the elected offices who want to participate. It was agreed that request should be signed by any elected officer who wants to participated. Motion to petition for nonpartisan elections for all elected officers who want to participate carried. The letter requesting this change will be signed individually by elected officers.

Chairman Anderson asked for other business. Mr. Wood said an Executive Session was needed to discuss potential litigation.

Upon motion by Commissioner Beacham, seconded by Commissioner Simmons and carried, meeting was moved into Executive Session to discuss potential litigation.

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Regular session was reconvened. Chairman Anderson asked for discussion of

letter from Mr. Jimmy Franklin in reference to legal fees for two road.

Commissioner Smith said Mr. Franklin's letter indicated the fees had been invoiced but not paid.

Chairman Anderson said he was aware of charges for fees on Sheppard Lumber Company Road, he was made aware of these charges shortly after he was elected to the Commission and the former Chairman had opportunity to pay these fees. He added the former Chairman, Mr. Robert Cox, told him this was strictly between Mr. Franklin and Mr. Sheppard.

Commissioner Alston said he had pulled a six year old news article about this case and related in the agreement Mr. Sheppard agreed to pay legal expenses the County would have to go through condemnation procedures. He continued in the County's condemnation case Superior Court Judge Martin ruled in favor of the County but the ruling was appealed to a higher Court. In that appeal hearing Mr. Cox was asked some point blank questions and, apparently, from what he could remember, Mr. Sheppard was not happy with response from the Commission in Court and with that the agreement fell apart.

Commissioner Smith asked if there was a written agreement. Commissioner Alston said he wasn't sure but everyone understood who was to pay for the legal fees.

Commissioner Lee said he was in Mr. Franklin's office on another matter when the conversation turned to current negotiations on Cleary Road and that's when Mr. Franklin related that he had never been paid legal fees for the appeal. Commissioner Lee told Mr. Franklin he would check on this, if county owed the fees, it should pay, if county didn't owe, then reasons should be given for not paying. If county doesn't owe, then letter needs to be written to Mr. Franklin explaining that this was an agreement between him and Mr. Sheppard.

Commissioner Beacham asked if letter is sent, will that have a negative effect on current negotiations with Mr. Sheppard.

Chairman Anderson commented he didn't think Mr. Sheppard should be put in the middle of this issue.

Commissioner Lee said Mr. Franklin related that the deal on Hood Road was between former Chairman, Mr. Cox, and the developer of Country Walk Subdivision. The developer left and the county had to absorb a lot of cost and legal cost was one of them.

In discussion of these fees it was related that the only cost the county was to have in paving of this road was the cost to build the road, the developer was to pay for cost of right-of-way acquisition and paving cost. All right-of-way acquisition was handled by Mr. Franklin's office. Money was paid to the county by the developer before he left which paid the paving cost.

Commissioner Hodges offered a motion to write a letter to Mr. Franklin saying all legal bills have been paid and Mr. Franklin can discuss this issue with the Board in open session. Commissioner Lee seconded the motion and it carried.

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

Evelyn H. Alston  
ATTEST

E. Raybon Anderson  
E. Raybon Anderson

December 19, 1995  
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 31± visitors. Commissioner Hodges gave the invocation.

Minutes of the regular meeting on December 5, 1995 and minutes of Executive Session on December 5, 1995 were presented. Upon motion by Commissioner Simmons, seconded by Commissioner Hodges and carried, minutes of these two meetings were approved as presented.

Before moving into the agenda Chairman Anderson recognized Ms. Becky Taylor, County Planner. Ms. Taylor introduced "Chipper", mascot for Christmas Tree Recycling Program, and encourage everyone to bring their Christmas trees to be ground into mulch on Saturday, January 6th.

The first item of old business was Planning and Zoning Appeal by Martin Meeks. Chairman Anderson asked Mr. Jimmy Dodgen to comment.

Mr. Dodgen advised the sketch plan of this subdivision was approved but later the preliminary plat, which is the second stage, was denied by the Planning and Zoning Commission. He said this denial is being appealed to the Board of Commissioners. He commented Mr. Meeks was represented by Attorney Gates Peed and Surveyor Jim Anderson.

Chairman Anderson said comments were be taken from both sides, his only request was that comments be organized. He recognized Mr. Gates Peed.

Mr. Peed said Mr. Meeks was owner of property on Highway 119 and had a sketch plan approved but the preliminary plat was denied. He stated their purpose today is ask for an appeal of this denial and to ask the Commissioners consider the merits of the case and grant the preliminary plat approval. He said the adequate way to set forth the basis of their appeal was to trace the appeal process and record that process. He continued that a sketch plan was prepared on June 13, 1994 by Mr. Jim Anderson, this sketch plan was presented to and approved by the Planning Commission on July 7, 1994. This approval was subject to D.O.T. access being granted and this was obtained on August 11, 1994 and submitted to the Planning Commission on September 1, 1994. He said their preliminary plat presentation was on the Planning and Zoning Commission's agenda on August 10, 1995. He gave details of data submitted with the preliminary plat, letter from Health Department approving soil classifications, and subsequent letter from Corp of Engineers approving wetlands. The request for approval of preliminary plat was tabled at that meeting. He said the Planning and Zoning Commission was requested to provide detail list of deficiencies and clarification of certain matters. On September 1st he received a fax detailing the list of deficiencies concerning the engineer review and zoning review and also a request that the county be allowed access to the property so soil scientist could conduct soil review for the county. That request was granted and Mr. Alan Rigdon did soil review for the county. Mr. Peed presented a preliminary plat of Phase 1, plat of 34 lots out of a total of 99 lots, which is the plat submitted to and denied by the Planning and Zoning Commission. He stated this plat complies in every detail with the list of deficiencies detail by Planning and Zoning Commission, this plats complies with Subdivision Ordinance. He said they ask the Board of Commissioners reverse the decision of the Planning and Zoning Commission and approve the preliminary plat as submitted. He presented the road profile required by Subdivision Ordinance and which was approved by the County Engineer.

Commissioner Smith asked the size of the lots on plat of Phase 1. Mr. Peed said lots were approximately  $1\frac{1}{2}$  acres.

There was some questions about wetlands on the entire tract and on Phase 1 plat. Plat showed some lots which did include wetlands. Mr. Peed stated there was very little wetlands in Phase 1 and there were building sites on all lots.

Mr. Peed submitted several required documents for the record and said on September 28, 1995 they appeared before the Planning and Zoning Commission with compliance of list of deficiencies. The deficiencies was met in every detail and at that time the preliminary plat was denied. The reason for denial, as stated in the minutes, was due to infrastructure in the area, schools overcrowded. He commented this reason as stated was not a valid reason to deny the preliminary plat, the sketch plan was approved over a year ago and if there was a concern with infrastructure, it should have been raised then. He said technical compliance with Subdivision Ordinance is all that is needed once sketch plan is approved and they have complied with Subdivision Ordinance. He remarked the vested right to use this property as submitted in the sketch was fixed when the sketch plan was approved and the only question is if compliance requirements have been met. He asked Mr. Dodgen if he knew of any noncompliance with the Subdivision Ordinance with regards to this preliminary plat as submitted. Mr. Dodgen answered no, he didn't. Mr. Peed concluded that their request was approval of the preliminary plat as submitted.

Chairman Anderson recognized Mr. Randy Proctor. Mr. Proctor introduced himself as a member of the Stilson Community. He said the question that has been raised the entire time this subdivision and others have been discussed is infrastructure and there is an infrastructure problem in their area of the county. He commented taxpayers all over the county are going to have to help finance Mr. Bell's operation in this area of the county because eventually the tax base will have to be increased to cover influx of money going into this area of the county. He added services that can be provided will not be adequate. He asked the Board to look hard at information presented by representatives hired by Mr. Bell.

Chairman Anderson recognized Mr. Larry Roberts. Mr. Roberts said he represented citizens of the Stilson-Olney area and said they were fighting<sup>for</sup> their community, their neighborhood and the county. He stated they had letters denouncing any more growth in this area from the Sheriff, the School Superintendent and the Public Safety Director. He said the history in this area speaks for itself, he presented a county map obtained from the Soil and Water Conservation Office and showed 10 subdivisions within the immediate area of the proposed property and stated there were 2 more subdivisions in the adjacent county. He said an adjoining property owner and he are concerned that the water off the proposed roads will flood their property. He stated the Comprehensive Land Use Plan has said growth is out of control, what happens when this many more families are added. He commented he agreed with Mr. Proctor on the wetlands issue, if the Corp of Engineers have issue any letter of rescission of their original statement, the Commissioners should look into it. He added there are letters from the Corp that strictly denounce this property and warn these developers about developing in wetlands. He said a question was asked in the Planning and Zoning Commission meeting about how many lots would need fill in order to have septic tanks, it was finally admitted that 51% of lots would have to fill, substantial fill for some lots, for septic tanks to work. He asked the Commissioners to look at the effect this development will have on the community and the county.

Chairman Anderson asked for discussion or action on this issue.

Commissioner Smith made statement that this site plan was brought to Planning Commission about 1½ years ago right at the time the county was trying implement a Comprehensive Zoning Plan, in his opinion, it appears it was an attempt to come in before Zoning Plan was implemented. He said this area is clearly delineated as Ag-5 in the current Zoning Ordinance which was not in place at time original plan was submitted, designated Ag-5 because this area basically produces agricultural products and forestry products. He commented this area does not have infrastructure for a lot of growth, flooding is a problem in this area, neighbors are concern about what's going to happen to their community, who is going to pay the cost, the taxpayers of Bulloch County, not the developer, will pay this cost.

Commissioner Smith offered a motion to deny the proposal. Commissioner Simmons seconded the motion. In discussion Commissioner Beacham asked if infrastructure or lack of infrastructure was a legitimate reason. Mr. Jones said, under the Zoning Ordinance just as with the Subdivision Regulations there is no particular standards like that, there is actually no list of standards and considerations other than standards of property involved. Commissioner Beacham stated the Comprehensive Plan does not anticipate this type growth in area. Mr. Jones said that was correct. Commissioner Lee said the question is do the Commissioners have the power to make this decision, which in his opinion, further development on this scale in this area of the county where there is no fire protection, no E.M.S. service over 30 miles, nearest school in Stilson, over 10 miles away, is already full and he agreed with Commissioner Smith's statements, more development on this scale in this area it clearly not in the best interest of the county. Motion to deny this proposal carried.

The next item was legal fees on Sheppard Road. Commissioner Lee offered a motion to set a committee of two Commissioners to meet with Mr. Franklin, county staff and other parties involved to review these legal fees and make a recommendation to the full Board. Commissioner Hodges seconded the motion and it carried. Chairman Anderson will appoint this committee.

The next item was Recreation Department Plan and Maintenance Building. Chairman Anderson asked Commissioner Alston, who serves on Recreation Board, to present this item.

Commissioner Alston said the Recreation Board has developed a concept plan to make recreation improvements throughout the county to include the outlying areas of Stilson, Nevils, Portal and Brooklet and to make improvements for maintenance area at Mill Creek Park. He asked Mr. Mike Rollins, Recreation Department Director, to give details on maintenance area at Mill Creek Park.

Mr. Rollins said the main reason to move ahead with maintenance area was to get equipment out of the weather and to move it to more desirable location. He advised the plan was to move 600 feet of fencing and 500-600 feet of additional fencing, erect an equipment shelter and a shop/storage building and move an existing building which is now at Fair Road Park. He said the Recreation Board has set a limit of \$125,000 for maintenance compound.

Commissioner Alston said the purpose of this presentation was to have Board approval to proceed with maintenance compound with understanding that all bids for outside contractors will be presented for Board approval.

Commissioner Hodges asked if this expenditure would come from Sales Tax proceeds. Commissioner Alston said yes.

Chairman Anderson commented the citizens of County were told that if Sales Tax was extended before any of Recreation's \$1,000,000 was spent, a plan would be developed showing half of money going to rural recreation. He said he held

this commitment to citizens very highly and asked if Commissioners were comfortable with the plan. He said he knows the present maintenance area is an eyesore and needs to be moved but he wanted public to know why this subject was being debated.

Commissioner Lee said he had seen some preliminary plans for rural recreation and asked what action had been taken on these plans.

Mr. Rollins advised negotiations were ongoing with property owners in Stilson and Nevils areas. He added they had run into some problems but were pursuing negotiations and he thought it was a question of what pace the Commissioners wanted them to proceed.

Commissioner Hodges asked about collection of sales tax and availability of funds for recreation purposes.

Mr. Wood said the representation made was, because the recreation project, Mill Creek, got the largest portion of the initial sales tax program and so many other capital projects were just getting started, this \$1,000,000 for recreation would be at the end of this extended sales tax program. He added part of that commitment has also complicated this process because all proceeds from first sales tax program for recreation have been spent and any expenditures for recreation will have to come from extended sales tax. He said this wasn't intended to be a negative comment and this was entirely the Board's decision, but expenditures now for recreation would be premature, were outside schedule established for extended sales tax program.

Commissioner Alston said the plan is presented and he hoped the Board would approved that plan, the improvements anticipated for Stilson, Nevils, Portal and Brooklet were not completed at this time but will be presented for Commissioners' approval when completed. He said the present request is for approval to proceed with maintenance complex at Mill Creek Park.

Commissioner Alston offered a motion to approve the plan for expenditures for maintenance complex at Mill Creek Park with understanding that expenditure is limited to maintenance complex. Commissioner Beacham seconded the motion and it carried.

There was no other old business for discussion or action.

The first item of new business was sale of property in the Holland Industrial Park. Chairman Anderson advised a business already located in Holland Industrial Park wanted to purchase additional property in order to expand.

Commissioner Beacham offered a motion to approve resolution authorizing sale of 2.524 acres in Holland Industrial Park owned jointly with City of Statesboro. Commissioner Simmons seconded the motion. In discussion Mr. Wood explained the property was being sold at same price per acre as property previously sold to this company, \$9,000 per acre. Motion approving sale of 2.524 acres in Holland Industrial Park carried. See exhibit #1995-40

Chairman Anderson asked Mr. Ted Wynn to present the next item, road name change. Mr. Wynn advised a petition had been received to change the name of county road #494 from Jake G. Nevils Road to Thompson's Lane. He said the petition was signed by eighty percent of property owners on the road which complies with the Ordinance. He commented he had some calls expressing concerns about renaming this road but after some research it was learned that the community of Nevils was named for Jake G. Nevils, also, the ones who called did not own property on this road.

Commissioner Hodges asked if anyone on the road opposed the name change. Mr. Wynn said one person did and there was one absentee land owner who could not be found. He added there was nine property owners on the road, one opposed,

one was not located and seven signed the petition.

Commissioner Alston asked why name change was requested. Mr. Larry Thompson said they owned almost a third of the property on the road and he should have done this when road naming program was in process but failed to do so.

Commissioner Beacham offered a motion to approve request to rename county road #494 Thompson's Lane. Commissioner Hodges seconded the motion and it carried.

Chairman Anderson presented list of Beer and Wine License Renewal Applications. Upon motion by Commissioner Hodges, seconded by Commissioner Simmons and carried, Beer and Wine License Renewal Application were approved:

Off-Premise

Joe Anderson - Po-Jo's  
 John F. Rushing, Jr. - Freddie's  
 Jimmy Eason - Time Savers, #8,#9,#17,#22,#24,#26,#33,#54,#77  
 William Mills, Jr. - Lakeview General Store  
 Robert Donaldson - Northside Minit Mart  
 Jerry Forehand - Stilson Country Corner  
 Mike Hatten - H's Food Mart  
 David Mincey David's Depot  
 Glen Womack - Glen's Minit Mart

On-Premise

John F. Rushing, Jr. - Rocking Horse Lounge  
 Stacy Webb - Forest Heights Country Club  
 Andrew Pittman, Sr. - Southern Links Golf Club

Chairman Anderson said congratulations were in order for Commissioner Lee who has been named to Board of Trustees for Hospital.

Chairman Anderson asked for other business or comments. Mr. Franklin advised he need to discuss two matters of litigation.

Upon motion by Commissioner Hodges, seconded by Commissioner Simmons and carried, the meeting was moved into Executive Session to discuss litigation matters.

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

  
 ATTEST

  
 E. Raybon Anderson

January 2, 1996  
 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 nineteen visitors. Commissioner Lee gave the invocation.

Minutes of the regular meeting on December 19, 1995 and minutes of the Executive Session on December 19, 1995 were presented. Upon motion by Commissioner Alston, seconded by Commissioner Simmons and carried, minutes of these two meetings were approved as presented.

Chairman Anderson recognized Dr. Cynthia Cone-Dekle for presentation of the first item of old business, update on the AAWC Mentoring Program.

Dr. Dekle said first she would like to thank the Commissioners for investing in the AAWC Mentoring Program and they felt a semiannual summary of that investment was in order. She gave in depth details of activities,