

August 7, 2007
Statesboro, GA

The Board met at 5:30 p.m. in the Community Room of the North Main Annex. Chairman Nevil welcomed the guests and called the meeting to order. Commissioner Thompson gave the invocation and the pledge of allegiance.

Ms. Evelyn Wilson, Clerk of the Board, performed the roll call of commissioners and staff. The following commissioners and staff were present: Chairman Nevil, Commissioner Jackson, Commissioner Simmons, Commissioner Tankersley, Commissioner Thompson, Commissioner Rushing, County Manager Tom Couch, Staff Attorney Jeff Akins, and Zoning Administrator Randy Newman. Commissioner Gibson was absent.

Chairman Nevil asked for changes or modification before approval of the General Agenda. Mr. Couch requested two (2) changes to the General Agenda: (1) add as item 1 under New Business a resolution to approve a Reconfiguration Planning Agreement with Motorola, Inc; (2) add item 2 under New Business for discussion of tentative workshop dates. Commissioner Tankersley offered a motion to approve the General Agenda as amended. Commissioner Simmons seconded the motion and it carried, unanimously.

The next item of business was the approval of the minutes of the regular meeting held on July 17, 2007, the public hearing held on July 24, 2007, the public hearing held at 8:30 a.m. on July 31, 2007, the public hearing held at 6:00 p.m. on July 31, 2007 and the called meeting held on July 31, 2007. Chairman Nevil asked for any correction or additions to the minutes. Commissioner Simmons offered a motion to approve the minutes as printed for the five meetings. Commissioner Jackson seconded the motion and it carried, unanimously.

Chairman Nevil asked for any public comments. Commissioner Thompson introduced Ms. Bonnie Black who has a road problem. Ms. Black said her residence was located on Lee Avenue Extension which is a narrow dirt road that dead-ends at property owned by Mr. Billy Sheppard. There is an alternate route on the other side of Mr. Sheppard's property which leads directly to the Leefield/Stilson Road. Mr. Sheppard is building two ponds on this property and instead of using the alternate route

the dump trucks and heavy equipment are using Lee Avenue Extension. Five families live on this road. Her grandson has asthma and her neighbor has emphysema which are aggravated by all the dust. The trucks haul dirt all day and it is so dusty no one can be outside. It also too dangerous for the children to play outside. The trucks keep the road torn up and at times it is almost impassable. She asked assistance in requesting that they use the alternate route instead of using this narrow dirt road. Commissioner Thompson said they have been contacted in the past and have used the alternate route. Chairman Nevil said restrictions by the county are probably limited because this is a public road but possible solutions will be explored. It might be as simple as contacting Mr. Sheppard.

The Consent Agenda had four (4) items for consideration: (1) an airport lease with Pegasus Air, LLC (see exhibit #2007-74); (2) a bid award for an airport corporate hanger to Jones-Morgan, LLC in the amount of \$299,777; (3) a bid award for library roof improvements to Roofing Professionals, Inc. in the amount of \$211,969; (4) reappointment of Dr. Jack Beasley to the Department of Family & Children Services Board. Chairman Nevil asked for any discussion of items on the Consent Agenda. Commissioner Thompson clarified that under the HB489 Agreement the county is fully responsible for the library roofing. Mr. Couch confirmed that was correct. The county is fully responsible for the library building which is a county owned asset. Commissioner Thompson offered a motion to approve the Consent Agenda. Commissioner Simmons seconded the motion and it carried, unanimously.

The first item of New Business was a resolution to approve a Reconfiguration Planning Agreement with Motorola. Chairman Nevil asked Mr. Couch to present this item. Mr. Couch said that the Federal Communication Commission has ordered Sprint Nextel to assist with and pay for the frequency reconfiguration of 800 MHz public safety radio systems to eliminate interference from Sprint Nextel's cellular phone system. Bulloch County's 800 MHz radio system is one of those that must be reconfigured. The Reconfiguration Planning Agreement authorizes Motorola to proceed with the planning phase which will be paid by Sprint Nextel. In discussion Commissioner Jackson asked if other public safety agencies using Bulloch County's 800 MHz also have to sign-off on the reconfiguration. Mr. Couch said the county

carries the FCC license and he didn't think the other public agencies will have to sign-off on the reconfiguration because they are already using the county's 800 MHz system. Commissioner Simmons offered a motion to adopt the resolution to approve the Reconfiguration Planning Agreement with Motorola. Commissioner Tankersley seconded the motion and it carried, unanimously. See exhibit #2007-75

The next item of New Business was discussion of tentative dates for workshops. Mr. Couch presented a memorandum giving proposed dates for workshops. There was some discussion of the regularly scheduled meeting on August 21st which conflicts with the Congressional Luncheon in Perry. Commissioner Tankersley offered a motion to change the next meeting from 8:30 a.m. on Tuesday, August 21st to 8:30 a.m. on Monday, August 20th. Commissioner Thompson seconded the motion and it carried, unanimously. Workshops will be held at 8:30 a.m. on Tuesday, August 14th and following the meeting on Monday, August 20th with other workshops to be scheduled if necessary. Mr. Couch discussed the possibility of having a retreat facilitated by Vinson Institute of Government or ACCG.

Chairman Nevil asked for comments from the Commissioners or the staff. Commissioner Thompson asked the date for demolition of the old hospital building. Mr. Couch said all the contracts have been signed and they have ninety (90) days from the date of notice to proceed.

Chairman Nevil said an Executive Session was needed to discuss personnel matters. Commissioner Rushing offered a motion to adjourn into Executive Session to discuss personnel matters. Commissioner Tankersley seconded the motion and it carried, unanimously. See exhibit #2007-76

The meeting was reconvened for the Public Hearing on zoning matters. Chairman Nevil asked Zoning Administrator Randy Newman to present the zoning items.

Mr. Newman presented an application from Jerry Rushing requesting a rezone of 5.29 acres from AG-5 (Agricultural 5 acres) to HC (Highway Commercial). The property consists of 16.3 acres with 11 acres already zoned HC and is located on

Neville Dairy Road. This item was deferred from the last zoning meeting. Conditions of approval recommended by the staff are: (1) To expedite development permitting, the applicant-developer shall submit a conceptual site plan, along with the following plans, reports and studies to the county development review committee for final approval in the following sequence (a) 30 days prior to application for a land-disturbing activity permit, submit a hydrology study and stormwater management plan submitted by a professional licensed engineer showing necessary mitigation measures following the Georgia Stormwater Management Manual; (b) 30 days prior to application for a land disturbing activity permit, submit engineering plans and install at their own expense the following road improvements based on the results of the traffic impact study (1) A right-turn decel lane on both Highway 301 North and left turn lane on Highway 301 South at the intersection of Nevils Dairy Road and shall be constructed according to GDOT standards; (2) The US 301 median crossovers will also have to be improved to allow safe left turn lane movements and shall be constructed according to GDOT standards; (3) The applicant-developer shall dedicate necessary right-of-way in favor of Bulloch County extending from US 301 northbound to the eastern boundary of the property (with a minimum of 80' in width, but not greater than 120') and execute the paving, widening and drainage improvements on Nevils Dairy Road that extends 200 linear feet to allow additional turn lanes; 2) then tapering to two improved lanes for a distance of 50 linear feet. This local road shall be built according to similar GDOT construction standards as the proposed turn and lanes proposed for US 301; (4) A second paved access "stub-out" shall be installed at the southeast corner of the principal building similar to the stub-out on the southwest corner to allow a second means of access to the parcel for future development. This is for the purpose of an alternative or relief means of access for public service and safety vehicles, should future development occur; (c) 30 days prior to the application for a building permit, submit a landscaping plan that preserves the rural character of the US 301 corridor (native plant selections are highly recommended) and illustrating the following: (1) Driveway entry islands and parking islands shall be landscaped. For small scale islands a plant bed of groundcovers, small shrubs and a small to medium size tree is recommended. For larger islands of at least ten feet in width the

incorporation of one or more canopy trees is required. Plantings should be grouped together in a common plant bed and spaced close enough to allow plants to gradually fill in and grow together. Turfgrass should be avoided in small islands due to its high maintenance, but may be used around planted beds in larger areas to help provide visibility, direct sightlines and complement plantings; (2) Install a landscaping strip or streetscape (in areas separating paved parking and circulation areas from the right-of-way), that is at least 8-10' wide and an average height of 4' from the parking area grade, along the length of the development on both US 301 and Nevils Dairy Road, saving space for approved signage and adequate site distance at road and driveway intersections. This can be accomplished by (A) installing a landscaped berm, an evergreen hedge, or a combination thereof; or (B) installing non-ornamental canopy trees with a minimum 4" caliper spaced 75' off center mixed with evergreen hedges capable of growing up to 30' at maturity; or (C) another similar landscape plan; (D) 30 days prior to the application for a sign permit, submit a master sign plan illustrating the variance standards approved by the Planning and Zoning Commission. Billboards shall be prohibited; (2) Building equipment and accessory uses such as condensers, transformers, well structures and housings shall be concealed from primary view from any public street using walls, fencing or landscaping with such measures; (3) The principal building structure(s) shall have exterior facades (except for trim work) consisting primarily of earth tone colors (except for approved signage) consisting of brick, stone, masonry, wood, hardi-plank (or cementitious-like materials) or stucco (or EIFS), or combination thereof; (4) The proposed internal roadway system shall be privately owned and maintained by a common interest element; (5) A water system shall meet the fire flow requirements according to the Bulloch County Subdivision Regulation Section 6.2 is required and install fire hydrants within 500 feet of the principal structure to be approved by the County Public Safety Director; (6) Any outdoor lighting for parking or security shall be downcast, shielded and directed to avoid illuminating adjacent properties or from causing distraction to drivers on public roadways; (7) Each lot shall have an adequately sized commercial dumpster(s) that is concealed from primary view of any public street or parking area with walls, fencing or landscaping. All dumpsters shall be placed on a concrete pad. Mr. Newman

recognized Agent Joey Maxwell. Mr. Maxwell asked for a clarification of a couple of the conditions. He referenced condition (b) "30 days prior to application for a land disturbing activity permit, submit engineering plans and install at their own expense the following road improvements based on the results of the traffic impact study" and said they would need the land disturbing activity permit in order to install the improvements. Mr. Couch asked if the engineering plans and LDA could be submitted in one package. Mr. Maxwell said yes. Mr. Maxwell referenced condition (d) "30 days prior to application for a sign permit, submit a master sign plan illustrating the variance standards approved by the Planning and Zoning Commission. Billboards shall be prohibited" and said they agreed with that in general but wanted to clarify that the stand/pole signs previously approved did not fall under this provision. Mr. Couch said everything approved in the sign variance would be applicable to signs on the property. Mr. Maxwell asked for questions. Commissioner Thompson offered a motion to approve the rezone request with stated conditions. Commissioner Tankersley seconded the motion and it carried, unanimously.

Mr. Newman presented an application by Matt Hickman requesting a rezone from R-40 (residential 40,000 square feet) to R-2 (multi-family dwellings) on 10.9 acres located on Harville Road. The intent of the rezone is to develop 20 residential units. Ms. Rachel Edwards acting as agent requested that they be allowed to withdraw this application because they feel another zoning classification would be better suited for this property and they plan to present another request at a later date. Mr. Newman advised that four people had signed up to speak. There was discussion of granting the request to withdraw the application or to continue with the public hearing on this rezone request. It was clarified that a withdrawal of this request and resubmission of another rezone request will require the entire process through Planning and Zoning Commission. It was agreed that circumstances will be different if the rezoning classification request is changed. Commissioner Tankersley offered a motion to grant the withdrawal request. Commissioner Rushing seconded the motion and it carried, unanimously.

Mr. Newman presented proposed rezoning by the Board of Commissioners for numerous properties currently zoned HI (Heavy Industrial). The proposed changes

would rezone property currently zoned HI (Heavy Industrial) between Highway 301 North, the railroad and Clito Road to R-80 (Residential 80,000 square foot) with the exception of property zoned Heavy Industrial adjacent to Randy Lowery Road and the two parcels owned by Anvil Industries, Inc at the corner of Clito Road and the railroad. Property currently zoned HI (Heavy Industrial) bounded by Clito Road, Maria Sorrell Road, Old River Road and Highway 301 North would be rezoned to AG-5. The Planning and Zoning Commission recommended approval of the proposed rezone classifications with changes requested by property owners; Dale Deal and Jonathan Presley requested their properties remain HI and Felix Deloach requested his property be rezoned AG-5 instead of R-80. Andy Welch presented maps showing the current zoning classifications, the proposed zoning changes recommended to the Planning and Zoning Commission and the proposed zoning changes recommended by the Planning and Zoning Commission. Mr. Newman said Mr. Buford White has signed up to speak on the proposed rezone. Mr. White said he thought his property would be changed back to AG-5 but he has property on both sides of Clito Road which means part will be zoned R-80 and part will be zoned AG-5. He requested that his entire property be rezoned to AG-5. Commissioner Thompson offered a motion to approve the rezoning classifications recommended by the Planning and Zoning Commission including the changes requested by Mr. Dale Deal, Mr. Jonathan Presley and Mr. Felix Deloach and to approve the request by Mr. Buford White to rezone his entire property AG-5. Commissioner Simmons seconded the motion and it carried, unanimously. See exhibit #2007-77.

Sign-in sheets for zoning matters are shown as exhibit #2007-78

Chairman Nevil asked for other business or comments. Commissioner Jackson offered a motion to adjourn. Commissioner Simmons seconded the motion and it carried, unanimously.