

December 5, 2006  
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 Gibson 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 Gibson, Commissioner Thompson, Commissioner Smith, County Manager Tom Couch, Staff Attorney & Parliamentarian Jeff Akins and Zoning Administrator Cheryl Tatum.

Chairman Nevil asked for changes or modifications before approval of the General Agenda. Mr. Couch requested two (2) changes to the General Agenda: (1) add a resolution authorizing the award of bid for road paving as item 1 under new business and (2) add a resolution to acquire property by condemnation as item 2 under new business. Commissioner Tankersley offered a motion to approve the General Agenda as amended. Commissioner Jackson seconded the motion and it carried, unanimously.

The first order of business was the approval of the minutes of the regular meeting held on November 21, 2006. Commissioner Gibson offered a motion to approve the minutes of the regular meeting on November 21, 2006. Commissioner Simmons seconded the motion and it carried, unanimously.

Under the Consent Agenda were the following items for consideration: (1) Resolution authorizing conveyance of the GSP building to the State – see exhibit #2006-176; (2) Resolution for two proposed annexations by the City of Statesboro – see exhibit #2006-177; (3) Contract with Divine Clear Care in the amount of \$13,808; (4) Alcohol License Applications for 2007 – see exhibit #2006-178; (5) Appointment of Mr. Raymond Waters to the Bulloch County Board of Tax Assessors. Commissioner Simmons offered a motion to approve the Consent Agenda. Commissioner Jackson seconded the motion and it carried, unanimously.

The first item under New Business was a Resolution to approve a road paving contract with Reeves Construction at the lowest bid of \$518,959.27. Chairman Nevil

asked Mr. Couch to present this item. Mr. Couch explained this contract was for paving of Buck Thompson Road, GoBar Road and Lagoon Road. The county received a D.O.T. contract for approximately \$400,000 in State aid for this project. He said the \$518,959.27 price was based on a unit cost contract on quantities of materials estimated for the project. Commissioner Gibson offered a motion to approve the Resolution authorizing the paving contract with Reeves Construction in the amount of \$518,959.27 to be paid from SPLOST proceeds. Commissioner Jackson seconded the motion. In discussion Commissioner Smith asked if this is done on a material basis contract, is the same degree of accountability built into the contract for the paving. Mr. Couch said yes, there are certain levels of approval. A variance of two percent of the total cost of contract due to additional quantities has to be approved by the County Engineer, a variance of five percent has to be approved by the Capital Projects Director, a variance of up to eight percent has to be approved by the County Manager, any variance over eight percent has to be approved by the Commissioners. Commissioner Smith asked if the building of the road and the application of materials are under the same guidelines as before. What's the possibility of the paving being thinner than it should? Mr. Couch said core samples are taken out of the road to check that the depth of the rock and asphalt are correct and meet D.O.T. specifications. He added that weight tickets for rock and asphalt are also checked to make sure quantity is correct. Mr. Couch said consideration is being given for the next road project to experiment with a lump sum based on width, depth and length of the road. Motion to approve the resolution authorizing contract with Reeves Construction carried, unanimously. See exhibit #2006-179.

The next item of business was a Resolution authorizing the acquisition of real estate by condemnation for intersection improvements at Josh Hagin Road and Pretoria-Rushing Road. Chairman Nevil asked Mr. Couch to present this item. Mr. Couch said this property is needed to development intersection improvements at the five points area. Commissioner Jackson offered a motion to approve the Resolution to proceed with condemnation of property for improvements for Josh Hagin Road and Pretoria-Rushing Road. Commissioner Simmons seconded the motion and it carried, unanimously. See exhibit #2006-180.

Chairman Nevil asked if there were any comments from the public. There were no comments from the public.

Chairman Nevil asked for comments from the Commissioners and staff. Commissioner Smith asked if the problems with Mr. Bill Bailey on Blankenbaker Road been resolved. Mr. Akins said the problems have not been resolved but Mr. Bailey has had been cited and he is to appear in Magistrate Court tomorrow. There was discussion of the county's options. Mr. Akins said jail time is a possibility, however not right now because the Zoning Ordinance will have to be amended to allow jail time to be imposed.

Mr. Couch gave dates of upcoming events: (1) registration for ACCG Legislative Conference is due by Wednesday, December 20<sup>th</sup>; (2) tour of the Georgia Ports Authority will be on Wednesday, December 20<sup>th</sup>; (3) employee Christmas reception will held from 4:00 p.m. to 8 p.m. on Wednesday, December 6<sup>th</sup>; (4) the Finance Committee will meet with the auditors at 9:00 a.m. on Friday, December 8<sup>th</sup>; (5) the Town of Register's Christmas Celebration will be held from 3:00 p.m. to 6:00 p.m. on Saturday, December 9<sup>th</sup>. He commented on information provided on cell tower issues and a legal opinion for some changes in zoning in a couple of areas.

Mr. Couch pointed out that the ACCG Legislative Conference in February conflicts with the regular Board meeting scheduled for February 6<sup>th</sup>. He asked the Commissioners to consider an alternative date for the Board meeting.

Chairman Nevil said he would like to have some discussion of signs for churches. He said two churches have called him several times requesting that they be allowed to erect directional signs to their church. The ordinance as presently written requires churches to get a sign permit and pay a \$500 fee. He asked if consideration could be given for some relief to churches in the sign ordinance. There was discussion of the need for the sign ordinance. Mr. Couch said he thought a fee schedule could be developed to change the fee from a flat fee of \$500 to a charge per square foot. He said this could give some relief to churches. Ms. Tatum commented that the County has previously given some reduced fees to church, school, etc. and it might be better to give a reduced fee rather than to change the sign ordinance. This will keep the sign ordinance fee intact and keep the county from being inundated with unwanted signs but will give relief to

churches or other nonprofit organizations. Commissioner Simmons suggested that the staff review the county's options and bring recommendations to the Board in January.

Chairman Nevil called for a recess until the Public Hearing at 6:30 P.M. Commissioner Simmons offered a motion to recess the meeting until 6:30 P.M. Commissioner Jackson seconded the motion and it carried, unanimously.

The meeting was reconvened at 6:30 P.M. for the Public Hearing for zoning matters. Chairman Nevil asked for any changes or modifications for the Zoning agenda. Mr. Couch requested that item 2 of the agenda, Rezone Modification for the North Congregation of Jehovah's Witnesses, be deferred until the first meeting in January. Commissioner Tankersley offered a motion to approve the modification to the Zoning agenda. Commissioner Jackson seconded the motion and it carried, unanimously.

Chairman Nevil asked Zoning Administrator Cheryl Tatum to present the zoning items.

Ms. Tatum said Tamara Nichols has submitted a conditional use request to develop a private airstrip for personal use on property of the family farm. The property is located on Dean Nichols Road and consists of approximately 200 acres. She advised that the Planning and Zoning Commission recommended approval with four conditions: (1) the maximum number of crop dusters for operations shall be limited to two; (2) there shall not be any hazardous or business related chemicals stored on the property; (3) operations shall be limited from daylight to dusk; (4) prior to establishing operations, proof to the zoning administrator that the pilots and operations are properly registered with the state and federal authorities shall be submitted. Ms. Tatum recognized Mr. Swaine Nichols, agent for Ms. Nichols.

Mr. Nichols said the only purpose of this airstrip is to give him means of transportation from Columbia, South Carolina to the farm. He explained that he has been maintaining the cattle operation since his father's death. His mother lives on the farm and needs his assistance in the farming operation. He explained that his wife has been accepted at a nursing school in Columbia and he is pursuing a job in Columbia. He added that he needs to get back to the farm on weekends and at other times to help his mother. Commissioner Smith asked the length of the airstrip. Mr. Nichols advised it would be

approximately 1300 feet. Commissioner Thompson asked if Mr. Nichols had any problem the conditions. Mr. Nichols said he had no problems with the conditions. Commissioner Thompson offered a motion to approve the conditional use request with the conditions. Commissioner Simmons seconded the motion and it carried, unanimously.

Sign-in sheets for zoning issues are shown as exhibit #2006-181.

Chairman Nevil asked for other comments. Mr. Couch commented that since Ms. Tatum has accepted a position at GSU this was her last meeting as Zoning Administrator. He said Ms. Tatum has been with the county for approximately 20 years and has served for six years as Zoning Administrator. He stated he wanted to take this opportunity to thank Ms. Tatum for all of her service to the county. Commissioner Simmons voiced his appreciation of Ms. Tatum's assistance and said she would be missed. Commissioner Thompson said the county's loss is GSU's gain. Chairman Nevil said Ms. Tatum was present when the Zoning Ordinance was developed and she has been an asset to the county.

Chairman Nevil asked for other business. Commissioner Tankersley referred to the meeting date conflict with the ACCG Legislative Conference in February and asked if the decision for an alternate date could be made now. Commissioner Tankersley suggested the meeting be moved to Tuesday, February 13<sup>th</sup>. There was some discussion of having zoning matters on Tuesday, February 13<sup>th</sup> and other business be conducted at the regular meeting on Tuesday, February 20<sup>th</sup>. Commissioner Tankersley offered a motion to move the first meeting in February to Tuesday, February 13<sup>th</sup>. Commissioner Jackson seconded the motion and it carried, unanimously.

Commissioner Simmons offered a motion to adjourn the meeting. Commissioner Jackson seconded the motion and it carried, unanimously.