

March 6, 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. County Manager Tom Couch gave the invocation and the pledge of allegiance.

Mr. Couch explained that a couple of Commissioners had been delayed and no business requiring a vote could be conducted prior to their arrival. He said Ms. Pearle Brown was on the agenda for Public Comments. Ms. Brown indicated that her remarks would not require any formal action and said she could present her comments before the business meeting.

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 Tankersley, Commissioner Rushing, County Manager Tom Couch and Staff Attorney Jeff Akins. Commissioner Thompson and Commissioner Jackson were absent. Commissioner Simmons and Commissioner Gibson were not present for the roll call but arrived prior to formal consideration of any business.

Chairman Nevil asked if there was anyone present to make Public Comments other than Ms. Brown. With no response, Chairman Nevil recognized Ms. Pearle Brown, President of the Bulloch County NAACP. Ms. Brown expressed concerns from the community. She presented the following questions: (1) why SPLOST funds (\$960,000) were not designated for the Luetta Moore Park, splash playground, pavilion, community center, pools and ball fields; (2) how many funds were allocated by the state for their neighborhood in the last ten years and how were the funds spent; (3) what improvements have been made in minority neighborhoods in the last ten years; (4) when will work begin at Luetta Moore Park and will minorities be awarded contracts; (5) what programs have been started in Statesboro/Bulloch County to enrich the lives of young people and keep them off the street; (6) what is the county doing to decrease crime and improve the hiring rate for young people; (7) what is the county doing to attract and keep minorities in top level jobs; (8) what road paving and emergency stations are planned for the county. Ms. Brown commented that they embrace diversity and would like to see more of it County and City positions. She said tax dollars are being spent to build

bigger jails when schools and communities are lacking funds, programs and teachers needed to educate children. Ms. Brown thanked the Commissioners for their attention and said they were ready to sit down with the Commissioners to prepare a plan to improve Statesboro and Bulloch County.

With the arrival of Commissioner Gibson and Commissioner Simmons, the business meeting proceeded.

Chairman Nevil asked for changes or modification before approval of the General Agenda. Mr. Couch said since Ms. Brown had spoken and unless there were any other public comments, that item should be stricken from the approval of the general agenda. Commissioner Tankersley offered a motion to approve the General Agenda as modified. Commissioner Gibson seconded the motion and it carried, unanimously.

The next item of business was the approval of the minutes of the called meeting on February 16, 2007, the regular meeting on February 21, 2007 and the Executive Session on February 21, 2007. Commissioner Simmons offered a motion to approve the minutes of the called meeting on February 16, 2007, the minutes of the regular meeting on February 21, 2007 and the minutes of the Executive Session on February 21, 2007. Commissioner Rushing seconded the motion and it carried, unanimously.

The Consent Agenda had four (4) items for consideration: (1) Contract with The Variations musical group in the amount of \$1250 for the 4th of July Celebration (see exhibit #2007-23); (2) Contract with Statesboro Blues musical group in the amount of \$4000 for the 4th of July Celebration (see exhibit #2007-24); (3) Contract with Y-Delta Construction in the amount of \$71,500 for the lighting replacement project at the Statesboro Regional Library (see exhibit #2007-25); (4) Appointment of Dr. Ronald Shiffler to the Coastal RDC Board. Commissioner Gibson offered a motion to approve the Consent Agenda. Commissioner Tankersley seconded the motion and it carried, unanimously.

The first item under New Business was the consideration of Bylaws for the Statesboro/Bulloch County Airport Committee. Chairman Nevil asked Mr. Couch to present this item. Mr. Couch said currently the Airport Committee has no formal bylaws governing its structure and operation. Although the Committee has been operating successfully with informal procedures, the Committee feels that formal bylaws would

bring more clarity and efficiency to its operation. The Airport Committee recommends approval of the proposed bylaws. Mr. Akins explained that once these bylaws are adopted the Commissioners will need to make appointments to the Committee for staggered terms retroactive to July 1, 2006. Commissioner Simmons offered a motion to adopt the Bylaws for the Statesboro/Bulloch County Airport Committee. Commissioner Rushing seconded the motion and it carried, unanimously. (See exhibit #2007-26)

The next item on the agenda was discussion of the county take-home vehicle list. Chairman Nevil asked Mr. Couch to lead this discussion. Mr. Couch said the Vehicle Use Policy for county employees adopted in April 2006 covered all departments except the Sheriff's Department which was exempted. He explained the process used to review and justify his recommendations which were based on strict interpretation of the policies. He said he still has some concerns about take-home vehicles for the Transportation Department and Animal Control. He said the take-home status for the two Animal Control vehicles was once weekly and asked Public Safety Director Ted Wynn to explain why he felt justification for take-home status for both vehicles was appropriate. Mr. Wynn said misuse of the vehicles can be and is deterred because both of the vehicles were clearly marked with a light-bar on top. He explained their call outs after hours are by law enforcement and last year there were 346 call outs by law enforcement. At present the City of Statesboro does not have an Animal Control Officer and the County is also handling their calls. He said at present both of the county officers drive vehicles home and last year there were 36 call outs which required that both officers respond. Mr. Couch said based on Mr. Wynn's comments he would recommend reclassifying the take-home status for the Animal Control vehicles for conditional approval for six months to determine whether the call volume justifies the take-home status. Mr. Couch verified the rotation of on call for the Transportation Department. Mr. Smith said there were ten employees who are on rotation for call one week at the time. Mr. Couch asked Mr. Smith for justification of take-home status for three administrative personnel Mr. Smith said he, Mike Boyett and Thurman Fail were basically on call twenty-four hours a day, seven days a week. He added that each of them live in different areas of the county which provides a quick response time in case of an emergency. Mr. Couch said there was still some question about the Corrections Department and he would like to re-

examine the status of their take-home vehicles. Some conditional approval could be considered for Chris Hill and Wayne Smith based on their justification being verified. He asked if there were any questions. Commissioner Tankersley asked what was the status of Eddie Smith, Mike Boyett and Thurman Fail in the Transportation Department. Mr. Couch said, based on Mr. Smith's explanation, he would recommend conditional take-home approval for six months to a year to determine justification. Commissioner Tankersley offered a motion to approve the annual employee take-home vehicle list with changes discussed and re-evaluation of the status for certain personnel. Commissioner Simmons seconded the motion and it carried, unanimously. (See exhibit #2007-27)

The next item was authorization for the purchase of a boom axe tractor and mower from Blanchard Equipment at a cost of \$66,500. Chairman Nevil asked Mr. Couch to present this item. Mr. Couch explained the bid process for this equipment and said Blanchard Equipment presented the most advantageous bid. Commissioner Gibson verified that one of these units was in operation. Mr. Couch said the purchase of this equipment would increase the level of service and give a better response time. Commissioner Rushing offered a motion to approve the purchase of the boom axe tractor and mower from Blanchard Equipment at a cost of \$66,500. Commissioner Gibson seconded the motion and it carried, unanimously.

The next items for discussion were authorization to purchase (1) a 10-wheel dump truck and (2) a lowboy tractor. Chairman Nevil asked Mr. Couch to present these items. Mr. Couch referenced a memo from the Transportation Department regarding the recommendation that the lowest bid not be taken but an alternative bid be taken. He advised that Mr. Mike Prevatt, representative of the low bidder, Freightliner, was present. He asked the Transportation Department personnel to explain their reasons for not accepting the lowest bid. Mr. Eddie Smith said the county has two Freightliner trucks which were purchased in 2004 and there have been some warranty issues as well as costly maintenance problems. Mr. Jay Beasley said, in his experience, the county gets better service, better quality of trucks, better parts availability and local repair with International. He discussed specific issues with the last dump truck and lowboy tractor purchased from Freightliner. Approximately \$10,000 has been spent on the low-boy tractor and approximately \$2,000 on the dump truck. Mr. Mike Prevatt commented on

previous sale of trucks to the county and said he thought his company worked closely with the county personnel. He gave accounting of truck sales in this area and said Freightliners are good trucks. He said he thought perhaps part of the problem was that engines change about every three years and these changes present a real challenge for the county's maintenance personnel. It was even hard for their maintenance personnel who receive training to stay up-to-date on engine repair. He said Freightliner had a dealership in Augusta, a dealership in Savannah and local parts were available. He commented he had little discussion of and was not fully aware of the county's problems with Freightliner trucks. He pointed out that there was a \$5000 to \$11,000 price difference in the trucks and said the county wouldn't get that much better truck. Mr. Prevatt said he stood on his record of eighteen years and his previous sales. Mr. Couch asked Purchasing Agent Kenneth Trapnell to review the bid process for these trucks. Mr. Trapnell gave a detailed report on the bids received and said all bids met or exceeded specifications. Mr. Akins said the county did not necessarily have to accept the lowest bid. He referenced wording in the bid invitation which stated the county may or may not accept the low bid and the award will be made based on the best value offered for Bulloch County. He added that the Purchasing Policy gives a vendor the right of appeal if the lowest bid is not accepted. Commissioner Gibson asked if this item could be deferred to allow time to re-examine the maintenance problems with the trucks. Mr. Couch asked Mr. Trapnell the timeframe for making a bid award. Mr. Trapnell said there was a 60-day period from the bid opening date on February 2nd to make the bid award. Commissioner Simmons stated he thought the Board should accept the recommendations of its personnel. Commissioner Simmons offered a motion to accept the bid from International in the amount of \$111,000 for the 10-wheel dump truck and to accept the bid from Mack in the amount of \$91,777.78 for the low-boy tractor subject to right of appeal by the low bidder (Freightliner). Commissioner Tankersley seconded the motion and it carried, unanimously.

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

The meeting was reconvened at 7:00 p.m. for the Public Hearing on zoning matters. Chairman Nevil asked for any modifications to the Planning and Zoning Agenda. Commissioner Simmons offered a motion to approve the Planning and Zoning Agenda. Commissioner Tankersley seconded the motion and it carried, unanimously.

Chairman Nevil asked Zoning Administrator Randy Newman to present the zoning items.

Mr. Newman said Brad Martin has submitted an application requesting a conditional use for multiple businesses on 2 parcels totaling 3.4 acres located on Highway 80 West. Mr. Newman advised the Planning and Zoning Commission approved the conditional use request. Mr. Martin said he purchased this property about six months ago and it was rented by Talon's Truck Company. He uses the property to park his equipment, to store pallets which are bought and sold, and from time to time he will sell some equipment. He said he wasn't aware that he needed a conditional use permit. He stated the outside is used more than the building. Mr. Couch said the property was zoned as highway commercial and a conditional use for other purposes was approved two years ago. He said that Mr. Martin's business was more of a light commercial use but the staff recommended the conditional use be approved with the following conditions: (1) The owner or occupant conducting the skid and pallet resale business shall store all skids, pallets and relevant equipment and service vehicles in a neat and orderly fashion behind the current fenced area of the property to the side and rear of the building. Such pallets shall not be stacked higher than the height of the building; (2) Any parking, circulation area or display area for equipment or vehicle display in the front of the building and in front of the fenced area shall be improved to the extent where a combination of proper soil, crush and run or a similar aggregate mix is used for a stabilizing base. Such area shall be kept in good appearance from the road; (3) All vehicles and equipment on display for sale shall be operative and shall be arranged in an orderly fashion. The Zoning Administrator or Code Enforcement Officer shall be given reasonable discretion to determine what constitutes neat and orderly. Commissioner Tankersley offered a motion to approve the conditional use request with the conditions stated. Commissioner Simmons seconded the motion and it carried, unanimously.

Mr. Newman said Mark Elliott and Don Hahn have requested a conditional use application to permit a rental equipment business on 3.99 acres located on Highway 301 south. A conditional use for an automotive repair business was previously granted. He stated the Planning and Zoning Commission recommended approval of the conditional use with conditions: (1) Prior to submitting for a Certificate of Occupancy: (a) Billboards signs need to be rehabilitated with lighting to be restored to code standards or the billboards should otherwise be removed; (b) Earth tone colors shall be used for the building exterior; (c) Any freestanding sign allowed pursuant to the Bulloch County Sign Ordinance shall have a landscaped base and be located at least ten (10) feet from the right-of-way to avoid obstructing sight distance; (d) All access ways, driveways, parking and lateral circulation areas from the front of the building line to the entrance ways shall be asphalt or concrete and meet parking area standards in the Bulloch County Zoning Ordinance. No joint internal parcel access with the truck stop is allowed; (e) All vehicle or equipment storage areas shall be screened according to Section 407 of the Bulloch County Zoning Ordinance, or shall not be visible from the street; (f) If compactors or dumpsters are used for trash containment they shall be placed on a concrete pad and shall be screened or not visible from the street; (g) Any outdoor lighting for parking or security shall be shielded and directed to avoid illuminating adjacent properties; (h) Landscaping shall be provided near the entrances of any driveway radius. Mr. Elliott said he owns a business in Effingham County and looks forward to servicing the people in Bulloch County. He commented that a nightclub originally occupied the property and said he is proud of the improvements that have been made since they purchased the property. Mr. Couch referenced condition 1-d and said the Planning and Zoning Commission gave Mr. Elliott some latitude to submit a site plan for the parking improvements that has been provided to the Board. Mr. Elliott explained that asphalt does not go well with track equipment, trucks and other heavy equipment and this is the reason a site plan was requested. Mr. Couch asked if it was impractical to make a pavement connection from the customer parking lot to northern driveway apron and have a truck or equipment access on the other driveway. Mr. Elliott asked if it mattered which side was paved. Mr. Couch said it didn't really matter which side just as long as one side was paved.

Mr. Couch said that condition l-d would need to be re-worded to: at least one access way shall be a paved connection to the proposed customer parking lot on the site plan submitted by the applicant and the remaining tract and circulation areas can be stabilized with no joint internal parcel access with the truck stop allowed. Commissioner Tankersley offered a motion to approve the conditional use request with conditions. Commissioner Gibson seconded the motion and it carried, unanimously. Mr. Hahn pointed out the property corner near the truck stop and said it sits in the middle of the access being used to the truck stop. He discussed the plan to come to the corner of the property with fencing which will deny access to the truck stop. They fear the fence will take abuse from trucks entering the truck stop and have thought about cutting a ditch along the property line for drainage to the ditch on the highway but the culvert is there. He asked if the county could remove this culvert and extend the ditch along the highway. Mr. Couch advised Mr. Hahn to consult with the Department of Transportation to see if the culvert could be removed.

Mr. Newman presented an application for Gwendolyn Howard for a rezone from R-80 (Residential 80,000 square foot lots) to R-40 (Residential 40,000 square foot lots) on 2.5 acres located on Brookfield Road. The intent is to divide the property into two (2) lots for placing a family member of the property. The Planning and Zoning Commission recommended denial of the request. Mr. Jim Anderson represented Ms. Howard. He gave a history on Ms. Howard's employment and a recommendation from her supervisor. He said Ms. Howard's husband died two years ago and she is presently renting in a different location. Ms. Howard's request is to divide the property into two parcels so she can have a home on the property near her daughter who already lives on the property. Mr. Anderson said Brookfield Subdivision was developed with eight lots prior to zoning and three lots adjunct to Ms. Howard's property do not meet R-80 qualifications. He advised that neighbors have signed a letter stating they have no problem with this rezone request. He commented that most of the applicants for rezone requests are seeking a profit but this widow has a need and this rezone request is not for profit. Commissioner Simmons offered a motion to approve the rezone request due to the special needs of the applicant. Commissioner Tankersley seconded the motion and it carried, unanimously.

Mr. Newman presented an application from Logan Supply Company requesting a rezone from R-25 (residential 25,000 square feet) to R-2 (multi-family dwellings) on 10.6 acres located on Amanda Road. The intent of the rezone is to construct duplexes. The Planning and Zoning Commission recommended denial of the rezone request. Mr. Newman advised that Ms. Rachel Edwards was acting as agent and two people have signed up to speak. Ms. Edwards pointed out that the request was to have only 3.29 acres of the 10.6 rezoned to R-2 with 5 lots for duplexes. The remaining lots would be R-25 with single family homes. Mr. Logan also owns duplexes across the street. She said Mr. Logan has no problem providing landscaped areas or buffers. The additional R-25 lots around this property will provide a buffer between the two zoning classifications. Ms. Deborah Walker said she and her husband are in the process of building their home on thirty acres they bought in this area. She commented there will be no development on their property other than their home. She said when they purchased their property they realized it was R-25 but they are now concerned that a rezone to R-2 would set a precedent. What happens with this rezone request will certainly affect use of other property in the area. She said they were also aware that there were duplexes on the other side of Amanda Road but felt that zoning would protect the property on their side of Amanda Road. She asked that the property remain R-25. Mr. Hank Dutton said he owns forty acres surrounding Mr. Logan's property and has a great deal of cost in plans to develop a nice subdivision of 1700 square foot, single family homes. He stated that if this rezone request for R-2 is granted, he would also like a rezone to R-2. A rezone to R-2 would totally change the concept for this area. He asked that duplexes remain on the other side of Amanda Road. Commissioner Tankersley offered a motion to deny the rezone request. Commissioner Simmons seconded the motion and it carried, unanimously.

Mr. Newman presented an application by Teresa Davis requesting a rezone from AG-5 (agricultural 5 acres) to R-40 (residential 40,000 square feet) on three acres located on WC Hodges Road. The intent of the rezone is to divide the property into three separate lots. The Planning and Zoning Commission recommended approval of the rezone with no conditions. Ms. Davis presented a sketch showing the proposed sixty foot easement required for approval of the rezone. She said she was a single parent and

her son who completed high school early has begun classes at Ogeechee Tech. Her son is now seventeen and is ready to move out but she didn't feel he is quite mature enough to be out on his own. Her daughter plans to attend GSU when she graduates from high school and will probably have the same desire to move out. She said family members own all the surrounding property and this rezone request is to provide her children with a stable environment in which to begin their adult lives. She added this property has been in her family for generations and she has no intention of ever selling the property. Commissioner Simmons offered a motion to approve the rezone request with the 60 foot easement as shown on the sketch plan. Commissioner Tankersley seconded the motion and it carried, unanimously.

Mr. Newman presented an application by Robert and Carol Bryan requesting a rezone from R-80 (residential 80,000 square feet) to AG-5 (agricultural 5 acres) on 53.5 acres located on Bruce Groover Road. The intent of the rezone is to allow horses on the property. The Planning and Zoning Commission recommended approval of the rezone request. Mr. Josh Tucker represented the Bryans. He said the Bryans realized their property was zoned R-80 when they attempted to obtain a permit to build a horse barn. Their request is for a rezone to AG-5 so they can go forward with the building of the barn. Commissioner Tankersley offered a motion to approve the rezone request. Commissioner Simmons seconded the motion and it carried, unanimously. (Sign-in sheets for zoning – Exhibit #2007-28)

Mr. Andy Welch presented proposed changes in the Zoning Ordinance. The first amendment addressed issues with expiring terms on the Planning and Zoning Commission. The second amendment addressed issues with placement of towers in certain zoning districts. The last amendment addressed the principal uses in commercial and industrial zones. Commissioner Gibson offered a motion to adopt the text amendments to the Zoning Ordinance. Commissioner Rushing seconded the motion and it carried, unanimously. See exhibit #2007-29

Mr. Couch reminded everyone of the ribbon cutting and dedication of the new Statesboro High School Baseball field at Mill Creek at 7:30 p.m. on March 9th.

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