

July 1, 2008
Statesboro, GA

Regular Meeting

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

Ms. Maggie Fitzgerald, Clerk of the Board, performed the roll call of the commissioners and staff. The following commissioners were present: Chairman Nevil, Commissioner Thompson, Commissioner Rushing, Commissioner Tankersley, Commissioner Jackson and Commissioner Simmons. The following staff were present: County Manager Thomas Couch, Staff Attorney Jeff Akins, Financial Director Harry Starling, Zoning Administrator Randy Newman, County Engineer Kirk Tatum, and Transportation Director Eddie Smith.

Chairman Nevil asked for changes or modifications before approval of the General Agenda. County Manager Thomas Couch requested to modify the General Agenda by adding a third item under the New Business Agenda. The third item would be the Discussion/Action concerning appointments to the Region 5 Mental Health Board, the Recreation Advisory Committee, and the nomination of any commissioner willing to be considered to the Circuit Public Defenders Local Panel or State Public Defenders Council. Commissioner Tankersley offered a motion to approve the General Agenda with the modifications requested by the County Manager. Commissioner Simmons seconded and it carried unanimously.

The next item of business was the approval of the minutes of the regular meeting held on June 17, 2008 and the Workshop held on June 17, 2008. Commissioner Jackson offered a motion to approve the minutes of both meetings as written. Commissioner Simmons seconded the motion and it carried unanimously.

Chairman Nevil asked for public comments. Mr. Rusty Williams was present to discuss his petition to re-route Starling Road. Chairman Nevil stated that issue would be discussed next, during the Public Hearing. There were no other comments from the audience or received in writing.

The next item on the agenda was a Public Hearing concerning the proposed re-routing of County Road No. 284, also known as Starling Road. County Manager Thomas Couch stated that Mr. Rusty Williams submitted a petition to re-route a portion of Starling Road. Commissioner Simmons offered a motion to open the Public Hearing. Commissioner Tankersley seconded the motion, and it carried unanimously. Mr. Williams stated that he personally re-routed Starling Road, adding several curves to slow down traffic, and that County Engineer Kirk Tatum and Transportation Director Eddie Smith stated that the re-routed road was in good condition. Mr. Williams acknowledged that he re-routed the road because his house sits a few feet from Starling Road and the increasing traffic, speeders, and wrecks have caused him concern. Mrs. Linda Roberts, a school bus driver who lives on Starling Road, stated the curves in the road are too sharp for her to navigate the bus down the rerouted road. J. C. Rawls stated a four way stop would be a better way to slow down traffic. J. E. Rawls stated that the road needs to be paved. County Manager Couch suggested that Mr. Williams, Mr. Tatum, and Mr. Smith meet and re-design the road to meet county standards. Staff Attorney Jeff Akins stated that when a new design is created, the county would send a letter with the design attached to all of the residents on Starling Road. Mr. Akins stated that the re-routing of Starling Road should be deferred to a later meeting. Without any further comments, Commissioner Tankersley made a motion to close the Public Hearing. Commissioner Rushing seconded the motion, and it carried unanimously.

The next item on the agenda was to approve the Consent Agenda: (1) an Amendment to Article VI of Chapter 8 of the Code of Ordinances (currently titled "Tattoo/Body Piercing Studios and Artists") of Bulloch County, Ga (See Exhibit 2008-95); (2) an Approval of a Polling Place Agreement with Kiwanis Club (See Exhibit 2008-96); and (3) an Alcohol Beverage License for package retail beer and wine sales to Mr. Jonathan Patterson at Lakeview General Store.

Chairman Nevil asked for any discussion of the Consent Agenda. Commissioner Simmons offered a motion to approve the Consent Agenda. Commissioner Tankersley seconded the motion and it carried unanimously.

The next item on the agenda under New Business was the discussion of the Schedule of Fees and Charges. County Manager Couch stated that the county needs a consolidated document listing a schedule of fees and charges by the different departments. Mr. Couch discussed a draft of the proposed schedule of discretionary fees and charges for permits, licenses, and services, and stated that many of these fees need to be changed and some were never authorized. Mr. Couch stated he would like the commissioners to meet with him and discuss the fee schedule during a workshop, and then adopt a completed fee schedule. No action was required for this agenda item.

The next item on the agenda under New Business was the discussion and action of the proposed re-routing of Starling Road. County Manager Couch stated that this agenda item should be tabled or deferred until another meeting when new designs from the road are completed by the County's Engineering staff and surveyors. Mr. Couch also stated that Mr. Rusty Williams would be responsible for all the expenses incurred due to the new design. Transportation Director Eddie Smith stated that road was built to standards, but the curves are too sharp. Staff Attorney Jeff Akins stated that this matter needed to be deferred until a new plan or design is created for the road. Commissioner Rushing made a motion to defer this matter for future consideration until staff brings it back for future consideration. Commissioner Simmons seconded the motion, and the motion carried unanimously.

The last item under New Business was the discussion and action concerning appointments to the Region 5 Mental Health Board, the Recreation Advisory Committee, and the nomination of any commissioner willing to be considered to the Circuit Public Defenders Local Panel or State Public Defenders Council. County Manager Thomas Couch recommended the reappointment of Catherine Ward to the Region 5 Mental Health Board Committee seat. Commissioner Tankersley made a motion to reappoint Catherine Ward. Commissioner Rushing seconded, and the motion carried unanimously. Mr. Couch stated that the Recreation Advisory Committee recommended the reappointment of Hadley Campbell (Seat A), Earl Donaldson (Seat B), and Mark Hynko

(Seat C). Commissioner Simmons made a motion to reappoint Campbell, Donaldson, and Hynko to the Recreation Advisory Committee for a four year term. Commissioner Jackson seconded the motion, and the motion carried unanimously. Commissioner Thompson stated that Cassius Osborn's seat on the Advisory Committee is also vacant. Commissioner Thompson made a motion to nominate Tony Natson to fill Mr. Osborn's seat. Commissioner Simmons seconded the motion, and the motion carried unanimously. Chairman Nevil asked if there were any nominations for the Circuit Public Defenders Local Panel or the State Public Defenders Council. Commissioner Tankersley nominated Chairman Nevil for the Circuit Public Defenders Local Panel. Chairman Nevil asked if there were any other nominations. Commissioner Thompson made a motion to close the nominations. Commissioner Tankersley seconded the motion, and the motion carried unanimously.

Chairman Nevil asked if there were any other comments from the staff or board. Commissioner Thompson stated that Ray Hendrix called him in regards to his presentation at the last meeting regarding the list of volunteers the county was going to supply for the Veteran's Administration Van. Commissioner Thompson stated that Mr. Hendrix suggested forming a committee that would secure names for the list. Commissioner Thompson stated that he nominated Commissioner Gibson to head the committee and to secure two (2) veterans or volunteers to serve on the committee in order to secure volunteers to drive the van. County Manager Thomas Couch stated that Commissioner Gibson could solicit civic clubs and other local volunteer organizations to help create a pool of drivers. Commissioner Thompson asked if Ms. Fitzgerald, Clerk of the Board, could inform Commissioner Gibson of his new position and report back in thirty (30) days. County Manager Couch and Ms. Fitzgerald agreed. Commissioner Thompson made a motion to appoint Commissioner Gibson to head the committee for Veteran's transportation. Commissioner Simmons seconded the motion, and the motion carried unanimously.

County Manager Thomas Couch reminded the board of the 2008 ACCG policy conference and stated that Ms. Fitzgerald would be contacting them within the week in order to make reservations and register them for the conference.

Chairman Nevil asked if there were other comments from the board or staff. Hearing none, Commissioner Simmons offered a motion to adjourn for a brief recess and to reconvene for the zoning agenda. Commissioner Tankersley seconded the motion and it carried unanimously.

The meeting was reconvened at 6:40 p.m. for the Public Hearings on zoning matters. Chairman Nevil asked for any modifications before approval of the Zoning and Land Use Agenda. Hearing none, Commissioner Simmons offered a motion to approve the Zoning and Land Use Agenda. Commissioner Tankersley seconded the motion and it carried unanimously. Chairman Nevil asked Zoning Administrator Randy Newman to present the zoning items.

Mr. Newman presented the first item on the agenda. Ken Morris filed an application requesting a rezone from AG-5 to HC (Highway Commercial). Mr. Morris also requested a conditional use to operate an equipment rental and servicing business. The property consists of 2 parcels totaling 1.42 acres and is located on Highway 80 East. Mr. Morris stated he owns both parcels and wants to make them one (1) full parcel. Mr. Morris stated the county came out and extended the driveway on the front of the property to make the driveway safer for big trucks coming in and out of the property. Mr. Newman stated that in the past the property was commercial, but it sat dormant for more than six months, therefore losing the grandfathering rights. Chairman Nevil asked if there were any questions or comments. Hearing none, Commissioner Tankersley made a motion to approve the rezone and conditional use request with the following conditions: (1) Improved parking for the repair shop would be required. This parking would have to be paved and provide adequate room for turn around for the customers they serve. (2) Storage of wrecked or junk vehicles or equipment would be prohibited. (3) Appropriate screening or visual buffers shall be installed pursuant to Section 407 of the Zoning Ordinance. (4) Any solid waste dumpsters or containers used to service the business shall be placed on a concrete pad on the side or rear portion of the property. (5) Any outdoor lighting shall be downcast and is to be of moderate brightness. (6) Outdoor storage and repair of rental equipment shall not be visible off-site (from the road, or nearby residences); for example such activity should take place in: a) an enclosed building; or, b) behind the principal structure in behind a screened fence. (7) Signage shall be limited to

one (1) ground sign with a landscaped base, or a wall sign meeting county code. Pole-mounted signs, including billboards, shall not be permitted. (8) A physical separation for the display of equipment displayed or parking areas from the Highway 80 right-of-way in the form of a “knee wall” of a minimum 24 inch height. The wall shall be constructed of either: concrete, stone, split-faced masonry or other similar material; or pillars with wrought iron or similar material between the pillars. A grassed berm or landscaped hedge (or combination thereof) of equal height may also satisfy the separation requirement. The separator shall be approved by the zoning administrator. (See Exhibit 2008-97)

Commissioner Thompson seconded the motion, and the motion carried unanimously.

Mr. Newman presented the last item on the agenda. Georgia Coastal Land submitted an application requesting to rezone from R-80 (residential 80,000 square feet) to R-3 (multi-family dwellings). The intent is to develop a townhouse community. The property consists of 7.50 acres and is located on Burkhalter Road. Parker Engineering is acting as agent. Mr. Newman stated that no one was present to speak regarding the request. Chairman Nevil asked if there were any questions or comments. Hearing none, Commissioner Simmons made a motion to approve the rezone request with the following conditions: (1) An additional 10% bonus density may be granted, provided at least one of the following amenities shall be installed by the applicant: (a) A pedestrian sidewalk system within the development. (b) An internal streetscape consisting of native, non-ornamental canopy trees (maple, dogwood, oak, etc.) with a minimum 4" caliper spaced 75' off center. The streetscape may optionally be integrated with amenities (a) or (c). (c) A county maintained street light district. (d) A common interest element maintained by a homeowners association or other conduit which may include, but not be limited to, a clubhouse, pool, tennis court(s), improved picnic area or playground, walking trail, or any combination thereof. (e) A common interest element maintained by a homeowners association or other conduit which may include, but not be limited to, a passive use recreation area (fishing, boating/dock, picnicking, etc.), conservation easement or green space area that is consistent with the goals and objectives of county or state land conservation or preservation plans and programs. (2) An Access Evaluation shall be performed. The scope of the evaluation shall concentrate on the subject property and the adjacent properties including properties across the road, and access issues within the

immediate area of the proposed site. The requirements of the evaluation are for the most part required as part of the development review. The access evaluation shall include the following elements: Identification of building size and use, driveways, parking areas, and drive aisles. Identification of road details including right-of-way width, both existing and proposed, pavement widths, identification of vehicular lanes, and adjacent traffic control devices including stop signs and traffic signals. Identification of adjacent access locations including properties across the road. A formal request to the county for review of the access. This can be conducted with a site plan submittal or plat as part of the current staff development review process. The results of the access evaluation may be subject to either the Bulloch County Roads, Highways and Bridges Administrative Policies, the County Land Subdivision Regulations or the GDOT Driveway and Encroachment Control Manual at the discretion of the County Engineer. In the case of any conflict between the regulations, the more restrictive will generally apply. All dwelling units must consist of traditional site built housing meeting state construction codes and have architecturally compatible brick, brick veneer facades, or hardyplank (except for trim). All driveway entrances shall have landscaped islands. To minimize the impact on contiguous property, the developer shall install a solid opaque fence or a landscape buffer along the length of the western and northern boundary of the property with an average minimum height of six (6) feet at installation. This can be accomplished by: a) installing a landscaped berm and/or evergreen hedge combination; or, b) installing non-ornamental canopy trees (maple, dogwood, oak, etc.) with a minimum 4" caliper spaced 75' off center with evergreen hedges capable of growing up to 30" at maturity. The buffer shall be approved by the Zoning Administrator. The proposed internal roadway shall be privately maintained. A physical separation for the front setback area or streetscape along the right-of-way shall be installed in the form of either: (a) a "knee wall" with a minimum 36 inch height, constructed of either: concrete, stone, split-faced masonry or other similar material; or pillars with wrought iron or similar material between the pillars; (b) a grassed berm with landscaped hedge (or combination thereof) of equal height may also satisfy the separation requirement. The separator or streetscape shall be approved by the zoning administrator. All wall structures shall have a visual landscape or wall/fence buffer equal

to the height of the roof line. Commissioner Tankersley seconded the motion, and the motion carried unanimously. (See Exhibit 2008-98)

Chairman Nevil asked if there were any other comments from the staff or board. Commissioner Tankersley offered a motion to adjourn the meeting. Commissioner Simmons seconded the motion and it carried unanimously.

J. Garrett Nevil, Chairman

Attest: Maggie Fitzgerald, Clerk of the Board