

November 06, 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 Gibson gave the invocation and the pledge of allegiance.

Ms. Marcia Collins, Deputy 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 Rushing, County Manager Tom Couch, Staff Attorney Jeff Akins, Clerk of the Board Evelyn Wilson, and Zoning Administrator Randy Newman.

Chairman Nevil asked for changes or modifications before approval of the General Agenda. Mr. Couch requested one change to the General Agenda: (1) add an item under New Business as a resolution to approve an easement agreement with the City of Statesboro and Statesboro Crossing, LLC. 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 a presentation by Ms. Anna Swicord of the Bulloch County Hospital Authority. Ms. Swicord presented the County Commission with a check in the amount of \$1,742,605.88 for earning of the original investment of the proceeds of the sale on the hospital.

The next item of business was the approval of the minutes of the regular meeting held on November 6, 2007 and the executive session held on November 6, 2007. Chairman Nevil asked for any corrections or additions to the minutes. Commissioner Gibson offered a motion to approve the minutes as printed, Commissioner Jackson seconded the motion and it carried, unanimously.

Chairman Nevil asked for public comments. There were no public comments.

The Consent Agenda had six (6) items for consideration: (1) a Resolution to accept the roads in Cotton Creek Subdivision (See Exhibit #2007-101); (2) a Resolution to accept Pinemount Blvd and Parker Road (See Exhibit #2007-102); (3) a Resolution to

accept the roads in Carrington South Subdivision (See Exhibit #2007-103); (4) a Resolution to accept the roads in Olney Station Subdivision Phase IV (See Exhibit #2007-104); a Resolution to accept the roads in Laurel Hill Subdivision (See Exhibit #2007-105); and an Intergovernmental Agreement with the City of Statesboro for the Capital Cost Recovery District (See Exhibit #2007-106).

Chairman Nevil asked for any discussion of the Consent Agenda. Commissioner Thompson asked how the roads in Pinemount Subdivision were fixed. Mr. Couch explained the work that was done. He said all funds have been collected and the project is closed. Commissioner Jackson offered a motion to approve the Consent Agenda. Commissioner Tankersley seconded the motion and it carried, unanimously.

There was no Old Business on the Agenda.

The first item of New Business was the discussion and or action regarding the adoption of a Noise Ordinance for unincorporated Bulloch County. Mr. Akins completed the final draft with provisions of the ordinance. In discussion Commissioner Rushing pointed out the distances stated in Section 10-136 and Section 10-137 need to be consistent. Mr. Couch recommended changing the distance to 100 feet. Commissioner Tankersley made a motion to approve the Noise Ordinance with amendments. Commissioner Simmons seconded the motion and it carried, unanimously. (See Exhibit #2007-107).

The next item of New Business was the discussion and/or action regarding the adoption of the amendments to the Clean Community Ordinance for unincorporated Bulloch County. Chairman Nevil asked Mr. Couch to present this item. Mr. Couch recommended approval of the ordinance. Commissioner Tankersley made a motion to approve the Clean Community Ordinances with amendments. Commissioner Simmons seconded the motion and it carried, unanimously. (See Exhibit 2007-108).

The next item of New Business was the discussion and/or action regarding the amendment of the General Appropriations Budget. Chairman Nevil asked Mr. Couch to present this item. Mr. Couch said the amendments will address the Major Capital Outlay Schedule to modify the necessary amount of match for the Airport SPLOST funds from 2002 for the taxiway and runway rejuvenation. It required \$8, 125.00 in local match. Now the match will be \$21, 182.00 based on the Georgia Department of Transportation

funding estimates. Commissioner Simmons made a motion to approve the amendment to the FY2008 General Appropriation Budget. Commissioner Tankersley seconded the motion and it carried, unanimously. (See Exhibit #2007-109).

The next item of New Business was the discussion and/or action to adopt a Resolution to authorize the Capital Project at the Statesboro Bulloch County Airport by awarding a bid to (1) Wall Asphalt Services in the amount of \$284,625.00 and (2) authorizing a contract with the Georgia Department of Transportation for leveraged funding. Chairman Nevil asked Mr. Couch to present this item. Mr. Couch said the project is for the taxiway and runway rejuvenation at the Airport. The total cost of the project is approximately \$309,000. Commissioner Jackson made a motion to approve the resolution. Commissioner Simmons seconded the motion and it carried, unanimously. (See Exhibit #2007-110).

The next item of New Business was the discussion and/or action to adopt a Resolution to authorize an easement agreement with Statesboro Crossing, LLC. Chairman Nevil asked Mr. Couch to present this item. Mr. Couch said Statesboro Crossing, LLC. is constructing a shopping center on Brannen Street Ext. and Veterans Memorial Parkway. A portion of that property is where a portion of the Greenway Project will occur. The Resolution will allow an access easement so they can put a street across the S&S Railroad Right of Way. They have agreed to put in crosswalk improvements that the City of Statesboro will maintain. Commissioner Simmons made a motion to approve the resolution. Commissioner Tankersley seconded the motion and it carried, unanimously. (See Exhibit #2007-111)

Chairman Nevil asked for other business or comments. Commissioner Tankersley spoke on the Commercial Septic Waste Hauling issue. She gave a brief background of how this impacts Bulloch County and distributed a copy of The Regulation of Commercial Waste Originators, Pumpers, Transporters, Processors, and Disposal Facilities. The purpose of the State Law was to provide minimum uniform statewide regulations for the purpose of regulating transporters that collect and/or dispose of commercial waste to prevent improper disposal and to provide a commercial waste transporter permit, and to provide for fees for the cost of permitting and inspecting

transporter vehicles. She asked that Bulloch County adopt an ordinance so the State Law can be enforced.

Commissioner Thompson discussed the issue regarding the need of industry in Bulloch County. Bulloch County came in second to Effingham County for the new industry being located there. He requested that Ms. Peggy Chapman of the Development Authority come and speak at the November 20, 2007 meeting and give a report on industrial development or economic development of Bulloch County over the past eight years including (1) Why Bulloch County hasn't been able to secure major industry; (2) What Commissioners need to do; (3) Give specifics as to why Bulloch County came in second to Effingham County and why the recent industry decided not to locate in Bulloch County; (4) Plans for the future and what can be done differently. After discussion Mr. Couch agreed to speak with Ms. Chapman on this issue and scheduling a date for the Development Authority to come before the Board with a report. He also discussed what can be done with the former Bulloch Memorial Hospital property. Mr. Couch asked that it be discussed at a Workshop on November 20, 2007.

Chairman Nevil asked for other business or comments. Mr. Couch recommended the remainder of Commissioner Comments and Staff Comments be tabled until after the Zoning Hearings. Commissioner Thompson offered a motion to recess the meeting and table the comments. Commissioner Tankersley seconded the motion and it carried, unanimously.

The meeting was reconvened at 6:50 p.m. for the Public Hearings on zoning matters. Chairman Nevil asked for changes or modifications before approval of the Zoning and Land Use Agenda. Commissioner Jackson offered a motion to approve the Zoning and Land Use Agenda. Commissioner Simmons seconded the motion and it carried, unanimously. Chairman Nevil asked Zoning Administrator Randy Newman to present the zoning items.

Mr. Newman presented an application submitted by John T. Finch requesting a conditional use to operate a borrow pit on the property. The property consists of 40 acres located on Hood Road. Mr. Jim Anderson is acting as Agent. The Zoning Commission recommended approval of the conditional use with the following conditions amending #3: (1) Install a 25' landscaped buffer (50' contiguous to the Moseley property line)

surrounding the borrow pit. This can be accomplished by: installing a landscaped berm or an evergreen hedge (leyland cypress, elegamus, hollies, etc.) at least six feet-high (6') with a minimum plant spacing of 6-8' feet off-center, or a combination thereof. The actual buffer used shall be approved by the Zoning Administrator prior to installation; (2) There shall be a minimum 150' no-cut buffer from Hood Road to mitigate visual effects, noise and dust; (3) Mining operations shall only be conducted Monday thru Saturday, from **30 minutes after sunup to 30 minutes before sundown**; (4) The truck route for ingress and egress to the property shall be from **both directions of Hood Road**; (5) For the period of time that mining activities take place, the property owner shall install and maintain at their own expense a driveway apron consisting of an appropriate drainage structure and rock-soil base approved by the County Transportation Department. Mr. Anderson said the borrow pit will be used to fill foundations on houses. He may also sell some dirt. An engineering plan has been done and a \$20,000. bond has been posted with the Environmental Protection Division. Commissioner Thompson offered a motion to approve the conditional use with conditions as stated. Commissioner Tankersley seconded the motion and it carried, unanimously.

Mr. Newman presented an application submitted by Hunter Chadwick requesting a conditional use to have multiple buildings on a single lot. The applicant is planning to develop mini storage warehouses on the property. The property consists of 2.08 acres located on Morgan Way. Mr. Allen Clark is acting as Agent. The Zoning Commission recommended approval of the conditional use with the following conditions: (1) Access and Paving: No access shall be permitted on the dirt portion of Morgan Way unless it is paved according to County standards (at the expense of the developer) to connect with Barri Way behind the adjacent convenience store. In lieu of this access or improvement, the developer shall be required prior to the issuance of a building permit to petition the Board of Commissioners to close the prescriptive easement used as a public way and install a cul-de-sac according to County standards at the dead end of Morgan Way. Any entrance gate to the applicant's facility shall be so designed and located to allow for a thirty-three (33') foot-long vehicle to queue without extending into the right of way. All internal circulation routes and driveways must be paved with concrete or asphalt; (2) Signage: Only one (1) monument sign consisting of a brick, stone, stucco or masonry base and supports identifying the property will be allowed along Morgan Way. All signage must meet county code compliance. No billboards will be permitted; (3) Lighting: All

lighting must be downcast and shall not produce glare or a nuisance to the surrounding properties; (4) Outdoor Storage: No outside storage of commercial vehicles or heavy equipment shall be permitted. Recreational vehicles and recreational equipment so defined shall be permitted to be stored if screened from view from the street and from adjacent parcels by a minimum eight (8') foot opaque visual barrier; (5) 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 and the Planning and Zoning Commission as appropriate for final approval. **(Including a design review plan showing landscaping and screening.)** (6) Upon approval of a conceptual site plan, development permitting shall be approved in the following sequence:

- a) *30 days prior to application for a land-disturbing activity permit*, a hydrology study and stormwater management plan submitted by a professional licensed engineer showing necessary mitigation measures following the Georgia Stormwater Management Manual shall be submitted.
- b) *30 days prior to application for a land disturbing activity permit*, submit engineering plans for access and road improvements.
- c) *30 days prior to the application for the first building permit*, the landscape and screening plan must be approved as prescribed (native plant selections are highly recommended). No certificate of occupancy shall be issued until all proposed landscaping is in place according to the approved plan.

(7) If the mini-warehouses are permitted after one year from approval of the conditional use, the Zoning Administrator may approve two one year extensions of the conditional use permit. After discussion and review Mr. Couch requested a deferral until the November 20, 2007 meeting. This is to allow the applicant time to submit a site plan for the commissioners to review. Commissioner Tankersley offered a motion to postpone the conditional use to the November 20, 2007 meeting. Commissioner Simmons seconded the motion and it carried, unanimously.

Mr. Newman presented an application submitted by Charles T. Brannen requesting a conditional use to have multiple buildings on the property. The applicant is planning to add additional mini storage units to the property. The property consists of 1.87 acres located on Highway 301 North. Denise Burke spoke on behalf of Mr. Brannen. The Zoning Commission recommended approval of the conditional use with the following

conditions: (1) All new buildings should be architecturally compatible with the existing buildings and should be uniform in height and color; (2) If the mini-warehouses are permitted after one year from approval of the conditional use, the Zoning Administrator may approve two one year extensions of the conditional use permit; (3) No additional access driveways along US 301 North shall be permitted unless approved by the GDOT. Commissioner Simmons offered a motion to approve the conditional use with conditions as stated. Commissioner Thompson seconded the motion and it carried, unanimously.

Mr. Newman presented a request for a text amendment to amend Section 400 of the zoning ordinance. Andy Welch reviewed the changes. Commissioner Tankersley offered a motion to approve the text amendment. Commissioner Simmons seconded the motion and it carried, unanimously (See exhibit #2007-112).

Mr. Newman presented an application submitted by Robert K. Bell, Sr. requesting an amendment to a condition which was approved at their rezone request on July 2, 2007 by the Board of Commissioners. The condition states to enhance access management, all approved residential lots and structures shall access internally to new roads built within the subdivision. The applicant is requesting that Lots 135, 136, 137 and 138 be allowed access to Martin Swinson Road. Jim Anderson is acting as agent. Commissioner Thompson offered a motion to approve the amendment to the condition. Commissioner Gibson seconded the motion and it carried, unanimously.

Chairman Nevil asked for a motion to adjourn the Zoning Agenda and return to the regular agenda to continue Commissioner and Staff comments. Commissioner Jackson offered a motion as stated. Commissioner Tankersley seconded the motion and it carried, unanimously.

Commissioner Thompson mentioned that Planning and Zoning along with Tax Commissioners and Tax Assessors are crowded and need more room. Mr. Couch said the preliminary plan is to build a Tax Administration building and move Planning and Zoning into the vacated space. Commissioner Simmons requested Mr. Vernon Martin of Coastal RDC and Mr. Allen Maza of Heart of Georgia RDC to come to the December 4, 2007 meeting to speak and give an overall view of what they are doing and can do for Bulloch County. Mr. Couch said Mr. Mike Batey of DCA will be at the Statesboro Rotary Club meeting at Forest Heights on November 19, 2007. He would like for

Commissioners to attend. The Retreat will be on November 29 and 30. There will be a workshop during the November 20, 2007 meeting.

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

J. Garrett Nevil

Attest