

April 5, 2011
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 Anthony 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, Vice Chairman Mosley, Commissioner Ethridge, Commissioner Simmons, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson. The following staff were present: County Manager Thomas Couch, County Attorney Jeff Akins, Chief Financial Officer Harry Starling, Development Services Director Andy Welch, Deputy Clerk Christy Strickland, Outside Legal Counsel George Rountree, Airport Manager Jeff Herrington, Public Safety Director Ted Wynn, and Zoning Administrator Randy Newman.

After Roll Call, the first item of business was the approval of the General Agenda. Chairman Nevil asked for amendments or modifications of the General Agenda. County Manager Thomas Couch asked to amend the General Agenda by adding Item #2 to the New Business Agenda for the discussion and/or action to authorize the Chairman of the Board to execute a contract with the Georgia Department of Transportation. Hearing no further amendments or modifications, Commissioner Mosley 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 for the Regular Meeting held on March 15, 2011. Chairman Nevil called for corrections or modifications to the Minutes. Without hearing any corrections or modifications, Commissioner Gibson offered a motion to approve the minutes as presented. Commissioner Ethridge seconded the motion, and it carried unanimously.

Next, Chairman Nevil asked for public comments from the audience at large or in writing. Clerk of the Board Maggie Fitzgerald and County Manager Thomas Couch both

stated there were no formal requests or petitions received in writing. Hearing no further comments from the public, Chairman Nevil moved forward to the Consent Agenda.

Chairman Nevil stated that the next item on the Agenda was to approve the Consent Agenda as follows: (1) to accept the Staff recommendation of the Airport Committee to accept Alan Davis and Brian Kent as new members and (2) to authorize the Chairman of the Board to execute a certificate authorizing the sale of bonds for the Development Authority of Bulloch County on behalf of Georgia Southern University (See Exhibit #2011-29). Without discussion, Commissioner Thompson offered a motion to approve the Consent Agenda as presented. Commissioner Rushing seconded the motion, and it carried unanimously.

Without any Old or Unfinished Business, Chairman Nevil stated that the first item of New Business was the discussion and/or action to consider an amendment to the County Code of Ordinances pertaining to building regulations. Chairman Nevil called on Development Services Director Andy Welch to initiate the discussion regarding the matter, and Mr. Welch stated that the amendment would allow temporary signs at construction sites with an active building permit. Without discussion, Commissioner Simmons offered a motion to approve an amendment to the County Code of Ordinances pertaining to building regulations (See Exhibit #2011-30). Commissioner Mosley seconded the motion, and it carried unanimously.

The second item of New Business was the discussion and/or action to authorize the Chairman of the Board to execute a contract with the Georgia Department of Transportation for the interior road work at Gateway Industrial Park in the maximum amount of \$599,999.98. Chairman Nevil called on County Manager Thomas Couch to initiate discussion regarding the matter, and Mr. Couch stated that the contract provides that GDOT will pay the maximum amount stated in order to build an interior road at the Gateway Industrial Park for the Great Dane Project. Mr. Couch stated that the road will not be built until all of the major concrete work is completed at the facility. After further discussion, Commissioner Thompson offered a motion to authorize the Chairman of the Board to execute a contract with the Georgia Department of Transportation for the interior road work in the maximum amount of \$599,999.98 (See Exhibit #2011-31). Commissioner Gibson seconded the motion, and it carried unanimously.

With no further items of New Business, Chairman Nevil asked each Commissioner to take thirty seconds for any general comments or statements, beginning with Commissioner Ethridge and then proceeding down the bench accordingly. Commissioner Ethridge thanked the Georgia Southern students for coming to the meeting. Commissioner Simmons thanked Public Safety Ted Wynn and his staff for their hard work during all of the recent bad weather in the County. Commissioner Rushing stated that he would like to discuss some issues with the AG-5 Zoning classification during a future workshop. Commissioner Thompson requested an overview of the County's Fire Department for the next workshop. After further discussion, Chairman Nevil asked for comments from the Staff, and County Manager Thomas Couch discussed upcoming workshops and possible special called meetings.

Hearing no further comments from the Board or Staff, Chairman Nevil stated that there was no further business for the open session of the regular agenda, and the Board must close the meeting and enter into Executive Session to discuss Personnel Matters and Potential Litigation. Chairman Nevil stated that at the conclusion of the Executive Session, which was expected to last about fifteen minutes, the Board would recess for about fifteen minutes, and then reconvene for the Zoning Agenda. Chairman Nevil called for a motion to adjourn into Executive Session in accordance with the provisions of the Official Code of Georgia and other applicable laws, pursuant to the advice of the Chief Corporate Counsel, Jeff Akins, for the purposes of deliberating on Personnel Matters and Potential Litigation. Without further discussion, Commissioner Ethridge offered a motion to enter into Executive Session to discuss Personnel Matters and Potential Litigation (See Exhibit #2011-32). Commissioner Gibson seconded the motion, and it carried unanimously. Commissioner Ethridge, Commissioner Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voted in favor of the motion.

The meeting was reconvened for the Public Hearings regarding Zoning and Land Use matters, and Chairman Nevil welcomed the guests and called the Zoning and Land Use meeting to order. Chairman Nevil asked for any modifications before the approval of the Zoning and Land Use Agenda. Zoning Administrator Randy Newman asked that the Zoning Agenda be modified by removing Item 1 due to the withdrawal of the

Conditional Use requested by Mrs. Denise Wilson Burnsed. Hearing no further amendments, Commissioner Thompson offered a motion to approve the Zoning and Land Use Agenda as amended. Commissioner Gibson seconded the motion, and it carried unanimously. Chairman Nevil asked Zoning Administrator Randy Newman to present the only item of business.

Zoning Administrator Randy Newman presented Item #1 which was an application submitted by the Bulloch County Board of Commissioners requesting to revoke a Conditional Use permit that was approved for Carol Bellinger on October 5, 2010, and to rezone the property back to the previous zoning district as AG-5. Mr. Newman stated that the property consists of 6.54 acres, zoned General Commercial (GC), and is located on Club Road, tax map #102B 000004 000. The Staff recommended and the Planning and Zoning Commission voted to approve the request. Representing Mr. George Bellinger, Mr. Scott Brannen stated that Mr. Bellinger has continued to improve the property, and would like to maintain the current zoning in order to hold sporting events and family reunions that would end at 8:00 p.m. After further discussion from Mr. Brannen, Mr. Bellinger spoke to the Board and stated that the party where alcohol was sold to an undercover investigator happened while he was out of town, and that he would not be traveling in the future and would be able to oversee future events if the current zoning was maintained. Commissioner Ethridge stated that alcohol was sold to the investigator at several parties, and that Mr. Bellinger had promised during the October 2010 meeting that alcohol would not be allowed on the property and that security would be provided at all events. After further discussion, Commissioner Thompson offered a motion to revoke the Conditional Use permit that was approved for Carol Bellinger on October 5, 2010, and to rezone the property back to the previous zoning district as AG-5. Commissioner Ethridge seconded the motion, and it carried unanimously.

Development Services Director Andy Welch presented Item #2 which was a text amendment for the Bulloch County Sign Ordinance. Mr. Welch stated that the changes were necessary to ensure that the ordinance was content neutral in order to be constitutional regarding free speech. Mr. Welch also stated that several grammatical errors were corrected. After some discussion, Commissioner Mosley offered a motion to

approve the text amendment for the Bulloch County Sign Ordinance (See Exhibit #2011-33). Commissioner Simmons seconded the motion, and it carried unanimously.

Sign-in sheets for Zoning Matters are shown in Exhibit #2011-34.

Chairman Nevil asked if there were any further comments from the Commission or Staff. County Manager Thomas Couch asked to address the Board, and asked that Mr. Harry Jackson be heard for a Public Comment. Mr. Jackson, of Pope Road, stated that sewer or drain pipes were installed under Pope Road have caused water to drain onto his property, and that the water sits because there is no place for the water to drain. Mr. Pope asked the Board to fix the problem or he would cover the pipe to prevent the water from running onto his property. After further discussion, Chairman Nevil stated that the County Engineer and both Area Road Superintendents are currently working to find a solution to drainage problems on Pope Road.

Hearing no further comments from the Board or Staff, Chairman Nevil asked for a motion to adjourn. Commissioner Rushing offered a motion to adjourn the meeting. Commissioner Ethridge seconded the motion, and it carried unanimously.

J. Garrett Nevil, Chairman

Attest: Maggie Fitzgerald, Clerk of the Board