

August 4, 2009
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 Thompson gave the invocation and the pledge of allegiance.

Mrs. Christy Strickland, Deputy Clerk of the Board, performed the roll call of the Commissioners and Staff. The following Commissioners were present: Chairman Nevil, Commissioner Simmons, Commissioner Jackson, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson. The following staff was present: County Manager Thomas Couch, Staff Attorney Jeff Akins, Chief Financial Officer Harry Starling, Public Safety Director Ted Wynn, Planning and Zoning Development Director Andy Welch, Purchasing Manager Kenneth Trapnell, Statesboro-Bulloch County Airport Manager Jeff Herrington and Zoning Administrator Randy Newman.

Chairman Nevil asked for changes or modifications of the General Agenda. County Manager Thomas Couch asked to address the Board in order to defer item # 3 on the Consent Agenda regarding the adoption of a resolution authorizing the declaration of surplus county property in order to get clarification from the Sheriff's Department about which vehicle is proposed to be transferred to the Board of Education. Without hearing any further changes or modifications, Commissioner Simmons offered a motion to approve the General Agenda with the modifications requested by the County Manager. Commissioner Jackson seconded the motion, and it carried unanimously.

The next item of business was the approval of the Minutes for the Regular Meeting held on July 21, 2009. Commissioner Gibson offered a motion to approve the minutes of the meeting as presented. Commissioner Rushing seconded the motion, and it carried unanimously.

Chairman Nevil asked for public comments from the audience at large or in writing. There were no petitions received in writing. With no public comments, Chairman Nevil moved on to the next item on the agenda.

The next item on the agenda was a presentation by Ms. Crystal Kicklighter on the closing of the Teen Center at the Boys and Girls Club. Ms. Kicklighter was not present for the presentation. Chairman Nevil moved on to the next item on the agenda.

The next item of business was to approve the Consent Agenda as amended: (1) To authorize the County Manager to execute a letter of agreement with Thigpen, Lanier, Westerfield and Deal of Statesboro, Georgia, for the FY 2009 Audit Engagement (See Exhibit 2009-106); (2) To dispense with the reading and adopt a resolution authorizing the Tax Commissioner to collect ad valorem taxes for calendar year 2009 at the net millage rates prescribed for the following jurisdictions: (a) Board of Commissioners M&O, (b) Statesboro Fire Tax District M&O, (c) Board of Education M&O, and (d) Board of Education General Obligation Bond (See Exhibit 2009-107); (3) To authorize the re-appointments of Mr. Ellis Wood, Mr. Ralph Andrews and Mr. Doug Collins to the Statesboro-Bulloch County Airport Committee; (4) To authorize the County Manager to execute a total cost agreement pursuant to the master lease buy-back provision with John Deere Credit of Johnston, Iowa for the Acquisition of Motor grader for the Transportation Department (See Exhibit 2009-108); (5) To dispense with the reading and adopt a resolution authorizing the County Manager to execute necessary documents pursuant to the master lease agreement with John Deere Credit of Johnston, Iowa for the Acquisition of a motor grader for the Transportation Department (See Exhibit 2009-109); (6) To authorize the County Manager to execute a blanket purchase order and fixed-price agreement for a term of one-year based on the staff recommendation for the lowest and most advantageous bid with Awards South of Statesboro, Georgia for trophies and awards at the Recreation Department (See Exhibit 2009-110); (7) To authorize the County Manager to execute a blanket purchase order and fixed-price agreement for a term of one-year based on the staff recommendation for the lowest and most advantageous bid with the Sports Section of Augusta, Georgia for photography services at the Recreation Department (See Exhibit 2009-111); (8) To authorize the County Manager to execute a purchase order for a sole-source procurement based on the staff recommendation with Challenger Sports of Lenexa, Kansas for the hosting of summer British Soccer Camp for the Recreation Department(See Exhibit 2009-112). Without

discussion, Commissioner Gibson offered a motion to approve the Consent Agenda as presented. Commissioner Rushing seconded the motion, and it carried unanimously.

With no items of Old or Unfinished Business, Chairman Nevil stated that the only item under New Business was the discussion and/or action to dispense with the reading and adopt a resolution to establish annual fees for the Rural Fire District in FY 2010. Chairman Nevil asked County Manager Tom Couch to initiate discussion on the matter. Mr. Couch stated the annual fees would remain the same as in FY 2009, fifty dollars for residential structures including manufactured homes and seventy dollars for Commercial Districts. Without further discussion Commissioner Jackson offered a motion to approve the resolution for the FY 2010 Rural Fire District Fees. Commissioner Simmons seconded the motion, and it carried unanimously (See Exhibit 2009-113).

Chairman Nevil asked if there were any comments from the staff or Board. County Manager Tom Couch advised the Board of Commissioners about the Event Calendar for August, and stated that for next scheduled meeting on August 18, 2009 there will be a workshop to discuss Development Issues. Mr. Couch also discussed the need for a Hydroseeder bid and stated that it will be placed on a future agenda for the Road Department. Commissioner Rushing stated that there was a meeting with Congressmen Kingston at Snooky's Restaurant on Thursday August, 6, 2009 at 10:00 A.M. There were no further comments from the board or staff. The County Manager suggested that there was enough time in between adjournment and the Zoning Agenda Meeting and suggested that the Board amend the general agenda and enter into Executive Session. Chairman Nevil called for a motion to amend the agenda and adjourn into Executive Session prior to the Zoning Hearing in accordance with the provisions of O.C.G.A. 50-14-2 and 50-14-3, and other applicable laws, pursuant to the advice of the Chief Corporate Counsel, Mr. Jeff Akins, for the purpose deliberating on Personnel Matters. Without discussion, Commissioner Rushing offered a motion to enter into Executive Session to discuss Personnel Matters. Commissioner Jackson seconded the motion, and it carried unanimously (See Exhibit #2009-114). Commissioner Thompson, Commissioner Jackson, Commissioner Rushing, Commissioner Simmons, and Commissioner Gibson voted in favor of the motion. Chairman Nevil and the Commissioners adjourned to the Library.

The meeting was reconvened at 6:30 P.M. 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 to amend the Zoning agenda by removing Agenda Item # 3, a Conditional Use request for Betty Everett, due to an affidavit that was signed by property co-owner Marvin Everett stating that submission of the application is invalid and demanding it be withdrawn. Commissioner Jackson offered a motion to approve the Zoning and Land Use Agenda with the modification suggested by Zoning Administrator Randy Newman. Commissioner Simmons seconded the motion, and it carried unanimously. Chairman Nevil asked Zoning Administrator Randy Newman to present the three items of business.

Zoning Administrator Randy Newman presented an application submitted by Danny F. Gwinette requesting a rezone from AG-5 to R-40 (residential 40,000 square feet). The intent is to cut 2.1 acres from a 4 acre tract to sell to the adjacent church for expansion on the cemetery. The property is located on Leefield-Stilson Road. Mr. Julius Tremble is acting as agent. Mr. John Dotson was present and discussed the history of the church and the property. He stated there is a plot that was over the property line of the existing cemetery and the church would like to purchase an acre to extend the cemetery. After further discussion on the request Commissioner Simmons offered a motion to approve the rezone request for only the one-acre parcel as recommended by the Planning and Zoning Commission and to approve a lot size variance for parcel two. Commissioner Jackson seconded the motion and it carried unanimously.

For the second Zoning Item, Mr. Newman presented an application submitted by Jamey R. Jenkins for a conditional use. The intent is to have 5 ISO Intermodal Steel Containers on the property. The property consists of two parcels totaling 4.93 acres and is located on Highway 301 South. Mr. Jenkins was present and stated he has the property for sale and asked to be able to keep the containers on the property until it sells. He stated he has moved the containers so they would not be visible from the road. Commissioner Jackson stated he had visited the property and the containers were not visible from the road. There was discussion on the restriction of only having two containers on the properties as recommended by the Planning and Zoning Commission

and why not to let the four remain that are currently on the property. After no further discussion Commissioner Thompson offered a motion to approve the request with the following conditions: (1) The ISO containers may only be used for storage and maintenance of equipment and supplies used in maintaining the principal building and its grounds as provided for in the definition contained in the zoning ordinance. (2) Limit the number of ISO containers on the properties four. (3) The ISO containers shall be located side-by-side behind the commercial building on lot 062B000005 000 to minimize viewing them from Highway 301 south. Commissioner Rushing seconded the motion and it carried unanimously.

For the third Zoning Item, Mr. Newman presented an application submitted by Carroll Belton "Trey" Baird III for a variance to the subdivision ordinance for lots 9 & 10 to be on a non-paved 60' access easement on US Hwy 80-West. Mr. Marlin Nevil is acting as agent. Mr. Nevil was not present but Mr. Baird was present to speak on behalf of himself and stated the reason why he needed to divide the property was to settle some debts from his father's estate. He stated he is asking for a variance not to have to pave the road. Chairman Nevil asked what happens when the lots are sold and the owners want the road paved. Mr. Baird stated he would be willing to leave the road private. After additional discussion Commissioner Simmons offered a motion to approve the variance request with the following conditions: (1) Lot 8 shall access U.S. Highway 80 from the private road. (2) Before Final plat is approved lots #1 & #2 are to be redrawn showing a shared driveway and only access is from Highway 80 West. Commissioner Jackson seconded the motion and it carried unanimously. (Sign-in sheets for Zoning Matters are shown in Exhibit #2009-115.)

Chairman Nevil asked for additional information and/or comments regarding the Zoning Meeting. Hearing none, Chairman Nevil called for a motion to adjourn the meeting. Commissioner Gibson offered a motion to adjourn the Zoning meeting. Commissioner Jackson seconded the motion, and it carried unanimously.

J. Garrett Nevil, Chairman

Attest: Christy A. Strickland, Deputy Clerk of the Board