

August 5, 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. County Manager Thomas Couch 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 Simmons, Commissioner Jackson, Commissioner Rushing, and Commissioner Thompson. The following staff were present: County Manager Thomas Couch, Staff Attorney Jeff Akins, County Planner Andy Welch, Public Safety Director Ted Wynn, Fire Chief Randy Walker, Financial Director Harry Starling, Zoning Administrator Randy Newman, Public Facilities and Environmental Management Director Bob Smith, Director of Statesboro Bulloch County Parks and Recreation Mike Rollins, and Keep Bulloch Beautiful Executive Director Brooke Brandenburg Carney.

Chairman Nevil asked for changes or modifications before approval of the General Agenda. County Manager Thomas Couch requested to modify the General Agenda by: (1) including the Public Hearing for the Statesboro Fire Tax District as the second item of New Business, (2) adding item #3 under the New Business Agenda to discuss and/or act upon a Resolution to set the millage rates for tax year 2008 for the County, the Statesboro Fire Tax District, and the Board of Education, and (3) adding item #4 under the New Business Agenda to discuss and/or act upon a Resolution to set structure fees for the Rural Fire District. Commissioner Jackson offered a motion to approve the General Agenda with the modifications requested by the County Manager. 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 July 15, 2008. Commissioner Thompson offered a motion to approve the minutes of the meeting as written. Commissioner Rushing seconded the motion, and it carried unanimously.

Chairman Nevil stated there were no written petitions from the public, but asked for comments from the audience at large. Mrs. Carrie Howard stated that she wanted to

know more about the fire district tax increase. Chairman Nevil asked Mrs. Howard if she lived in the city limits. Mrs. Howard stated she does live in the city limits. Chairman Nevil explained to Mrs. Howard that the tax increase would not affect citizens living in the city limits, only those living within the special tax district.

Mrs. Gwendolyn Proctor stated that she created a petition to re-open the Blich Street pool because families in that neighborhood cannot afford Splash in the Boro. Chairman Nevil stated that based on cost estimates and studies that have been done; it is not cost effective to re-open the pool and there are no immediate plans to re-open the pool in the future. Chairman Nevil stated that we are going to do several things at Blich Street that are based on a community needs survey. Statesboro Bulloch County Parks and Recreation Director Mike Rollins agreed that the pool was not in the initial plans given to him by the consultant that were based on the survey. Mrs. Proctor handed the signed petition to Chairman Nevil.

Mrs. Deindra Walker also spoke in regards to re-opening the Blich Street Pool. Commissioner Jackson asked about the rate per child for Splash in the Boro. Mr. Rollins answered and stated that when the Blich Street pool was open, there was not enough attendance to justify re-opening the pool and paying for the operational and repair costs. Mr. Rollins added that they should take their petition to the Recreation Advisory Committee to be considered for the Master Plan.

Mrs. Howard spoke again and stated that Mill Creek was too far for many children and that a well staffed place on Blich Street would keep kids out of trouble. Commissioner Thompson asked Mrs. Proctor and Mrs. Walker if they participated in the survey. They both stated that they did not know about the survey. Commissioner Thompson suggested a spray ground instead of a pool. County Manager Thomas Couch stated the survey showed that with a limited amount of money, the community made rebuilding the community center as the number one priority.

Without further comment from the public, Chairman Nevil thanked the speakers for their comments and moved on to the next item on the agenda, which was to present and introduce the new City Manager Shane Haynes. Mr. Haynes introduced himself and stated that he understands the importance of having a strong working relationship

between the city and the county. Chairman Nevil stated that we look forward to working with Mr. Haynes, and moved on to the next item on the agenda.

The next item on the agenda was to approve the Consent Agenda as presented: (1) Approve the Resolution to adopt the 2008-2018 Joint Solid Waste Plan (See Exhibit #2008-104); (2) Approve the GEFA Solid Waste Loan Application; (3) Approve a filter bid and one year contract with Roberts International Trucks (See Exhibit #2008-105); (4) Approve a batteries bid and one year contract with NAPA Auto Parts (See Exhibit #2008-106); (5) Approve a portrait bid for the Statesboro Bulloch County Parks and Recreation Department with LaRita; and (6) Approve an Alcoholic Beverage License for Jay Food Mart #3 (See Exhibit #2008-107).

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

There was no Old Business on the Agenda.

The first item of New Business on the Agenda was the discussion and/or action to consider a petition by the Pineland Community Service Board to grant a release from a Reverter Clause in favor of Bulloch County and the City of Statesboro. Mr. Stephen Rushing spoke on behalf of the issue, and stated that the John's Place facility is owned by the Bulloch County Alcohol and Drug Abuse Council and leased by Pineland. Mr. Rushing stated the facility needs improvements and maintenance and they have received money from the state to purchase the facility through a purchase sale agreement. Mr. Rushing stated that Pineland is asking the City and County to release the reverter rights in order for the state to accept the deed for the purchase. Mr. Rushing added that the City already agreed to release the reverter for the quitclaim deed. Commissioner Thompson made a motion to approve the request to grant a release from the reverter clause. Commissioner Rushing seconded the motion, and it carried unanimously. (See Exhibit #2008- 108)

The next item of New Business was the discussion and/or action to open a Public Hearing for the purpose of receiving citizen's comments and input regarding a proposed tax increase in the unincorporated fire tax district. County Manager Thomas Couch gave the audience some background regarding the Statesboro Fire Tax District and stated that

the increase would raise the millage rate from 1.4 to 1.8. Commissioner Rushing made a motion to open the Public Hearing. Commissioner Simmons seconded the motion, and it carried unanimously.

With the Public Hearing open, Mrs. Carrie Howard asked if it was fair for one side of the city to pay the tax and the other side not pay the tax. Chairman Nevil explained that people living in the city limits and people living in the district are the only people paying the taxes for services rendered by the Statesboro Fire Department.

Chairman Nevil asked for other questions and/or comments from the public. Hearing none, Chairman Nevil apologized for any confusion experienced by the public and called to close the Public Hearing. Commissioner Thompson made a motion to close the Public Hearing. Commissioner Jackson seconded the motion, and it carried unanimously.

The next item of New Business was the discussion and/or action to dispense with the reading and adoption of the Resolution to adopt the Millage rates for this tax year. County Manager Thomas Couch stated public notice had been given and the Resolution would set the Millage rates for the general M & O for the Bulloch County Board of Commissioners at 10.44 mills, the Statesboro Special Fire Tax District at 1.80 mills, the Board of Education M & O at 9.45 mills, and the Board of Education Bonded Debt Obligation at 0.45 mills. Commissioner Simmons made a motion to adopt the resolution to set the Millage rates. Commissioner Jackson seconded the motion, and it carried unanimously. (See Exhibit #2008-109)

The last item of New Business was the discussion and/or action to dispense with the reading and adoption of an authorizing Resolution to establish structure fees for the Rural Fire District. County Manager Thomas Couch stated the fees would be used to improve the rural fire services. Mr. Couch read section 1, 2, and 3 from the resolution regarding residential homes, manufactured homes, business premises, and the 2008 tax bills. Commissioner Thompson added that the purpose of the structures fees is to lower the ISO ratings in the county and to provide adequate fire protection. Mr. Thompson stated it is better to pay \$50.00 in order to save \$300.00 or \$400.00 on Home Owner's Insurance. Mr. Couch stated that these fees have no relation to the Statesboro Fire Tax District. Commissioner Jackson made a motion to adopt the resolution to establish

structure fees for the Rural Fire District. Commissioner Simmons seconded the motion, and it carried unanimously. (See Exhibit #2008-110)

Chairman Nevil asked if there were any other comments from the staff or board. Clerk of the Board Maggie Fitzgerald asked to address the board to remind the Commissioners about several upcoming events including: the Middleground Sub Station Ribbon Cutting, the luncheon with DCA Commissioner Mike Beatty at Forest Heights Country Club, and the Brooklet Peanut Festival Parade. Ms. Fitzgerald also reminded the Commissioners to recycle their agenda packets and to reschedule the first meeting in October due to the ACCG Conference. County Manager Thomas Couch informed the Commissioners about tentative plans for Mike Beatty. Commissioner Thompson welcomed the new City Manager and asked Mr. Haynes to ask Council Member Gary Lewis to bring him up to speed on the Luetta Moore joint project. Tax Assessor John Scott informed the Commissioners that the Homestead Tax Relief Grant might be cut out by the State. Mr. Scott stated that the cut would gravely impact about 9,000 properties in Bulloch County. Mr. Scott added that each Commissioner should contact their representatives at ACCG in regards to this matter. Mrs. Carrie Howard invited everyone to go to her community and take a look around and they might see something they would want to help fix or rebuild. Commissioner Thompson made a motion to recess until 6:35 p.m. Commissioner Rushing seconded the motion, and it carried unanimously.

The meeting was reconvened at 6:50 p.m. for the Public Hearings regarding Zoning matters. Chairman Nevil asked for any modifications before approval of the Zoning and Land Use Agenda. County Manager Thomas Couch asked to add the discussion and/or action of moving the first meeting in October for the ACCG Conference as the third item. Commissioner Simmons offered a motion to approve the Zoning and Land Use Agenda with one addition. Commissioner Jackson 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. Edgar Deal filed an application requesting a cottage industry. The intent is to be able to park the manufactured home transport vehicles and employee vehicles. The property consists of 13.58 acres and is located on Highway 301 North. Mr. Deal stated that he is closing his

mobile home business, but his son will take over the towing of mobile homes. Mr. Newman stated that no one signed up to speak for or against this matter. Commissioner Thompson made a motion to approve the conditional use request with the following conditions: (1) No storage of manufactured homes will be allowed on the property. (2) All commercial solid waste containers shall be shielded from view from Highway 301 with fencing or landscaping equal to the height of the container. (3) Any outdoor lighting shall be downcast and is to be of moderate brightness. Commissioner Rushing seconded the motion, and it carried unanimously.

Mr. Newman presented the next item on the agenda. Aulbert J. Brannen and Robert B. Brannen submitted an application requesting a conditional use. The intent is to install a telecommunications facility for Alltel Communications, Inc. The tower will be located on .233 acres out of a 189 acre tract. The property is located on Parrish Road. Kevin Wiles, a representative of Site Development Services Inc., acted as the agent on behalf of Alltel Communications. Mr. Wiles stated that his company has completed the process to fulfill all the requirements needed to install the tower. County Manager Thomas Couch discussed his concerns regarding the County's tower consultant, David Snavley's, report and the issues of the impact evaluation on surrounding properties. Mr. Wiles stated he believed the issues with Mr. Snavley's report are due to miscommunication. Chairman Nevil stated he felt the tower could not be in a better place. Mr. Newman stated no one signed up to speak for or against this matter. Commissioner Rushing made a motion to approve the conditional use request with the following condition: (1) Prior to issuing a building permit, all issues from David Snavley, tower consultant, will be satisfied. Commissioner Thompson asked Mr. Newman about the two variances. Mr. Newman stated that the two variances were in regards to setbacks. Commissioner Jackson seconded the motion, and it carried unanimously. Sign-in sheets for zoning matter are shown in Exhibit #2008-111.

Chairman Nevil presented the final item on the zoning agenda; the discussion and/or action to change the first Board of Commissioner's meeting in October because of the ACCG Fall Policy Conference in Atlanta. Clerk of the Board Maggie Fitzgerald stated the ACCG Conference does not start until October 8th, but the Commissioner's check in to their hotel in Atlanta on the 7th and having a night meeting on the 7th would

mean the Commissioners would be on the highway late that night. Staff Attorney Jeff Akins suggested the meeting be held on Monday night, October 6th. Commissioner Jackson made a motion to move the first meeting in October to Monday night, October 6, 2008. Commissioner Simmons seconded the motion, and it carried unanimously.

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

J. Garrett Nevil, Chairman

Attest: Maggie Fitzgerald, Clerk of the Board