

December 6, 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. 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, Vice Chairman Mosley, Commissioner Ethridge (arrived late), Commissioner Simmons, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson. The following staff were present: County Manager Thomas Couch, Clerk of the Board Maggie Fitzgerald, County Attorney Jeff Akins, Development Services Director Andy Welch, Chief Financial Officer Harry Starling, Public Safety Director Ted Wynn, County Engineer Kirk Tatum, Area Road Superintendent Mike Boyett, Area Road Superintendent Therman Fail, Sheriff Lynn Anderson, Airport Manager Jeff Herrington, and Zoning Administrator Randy Newman.

After Roll Call, Chairman Nevil asked for amendments or modifications of the General Agenda. County Manager Thomas Couch asked that the General Agenda be amended by: (1) adding to Item #3 of New Business the approval of an Alcoholic Beverage License for retail package beer and wine sales to Ms. Pallavi Patel for Zip N Food #16 and (2) to add potential matters related to litigation and real estate acquisition under the Executive Session item. 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 and Workshop held on November 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 Rushing seconded the motion, and it carried unanimously.

Chairman Nevil stated that the Board would conduct a Public Hearing to receive citizen input and comments regarding a petition for the proposed abandonment of County

Road #444, also known as Stothard Deal Road, and a portion of County Road #717, also known as Five Chop Road, where notice to the public has been duly given (See Exhibit #2011-142), and called for a motion to open the Public Hearing for citizen input. Commissioner Simmons offered a motion to open the Public Hearing. Commissioner Mosley seconded the motion, and it carried unanimously. Chairman Nevil opened the floor for citizen input. Mr. John Hodges stated that he petitioned to have the road closed because only family members living on the properties fronting the road actually use the road. Without further citizen input or comments, Commissioner Rushing offered a motion to close the Public Hearing. Commissioner Gibson seconded the motion, and it carried unanimously.

Chairman Nevil stated that the Board would conduct a second Public Hearing to receive citizen input and comments regarding a petition for the proposed abandonment of County Road #198, also known as D. Anderson Road, where notice to the public has been duly given (See Exhibit #2011-143), and called for a motion to open the Public Hearing for citizen input. Commissioner Mosley offered a motion to open the Public Hearing. Commissioner Simmons seconded the motion, and it carried unanimously. Chairman Nevil opened the floor for citizen input. Without hearing any input or comments from the public, County Attorney Jeff Akins stated that he received a request to amend the petition to only close the portion of D. Anderson Road from Nevils Daisy Road to Ephesus Church Road. Without further discussion, Commissioner Gibson offered a motion to close the Public Hearing. Commissioner Rushing 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 comments from the public, Chairman Nevil moved forward to the scheduled Presentation.

Chairman Nevil stated that the Board received one petition for a Presentation by Mrs. Annie Bellinger regarding her property on Club Road. Mrs. Bellinger expressed her displeasure regarding the Board's unanimous decision on April 5, 2011, 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. After further discussion, Chairman Nevil thanked Mrs. Bellinger for her presentation.

Chairman Nevil stated that the next item on the Agenda was to approve the Consent Agenda as follows: (1) to authorize the County Manager to execute Task Order #13 under an existing agreement for professional services with Burns and McDonnell for which the Statesboro-Bulloch County Airport will be reimbursed for 95% of the work from State and Federal funds (See Exhibit #2011-144) and (2) to dispense with the reading and adopt a resolution authorizing the sale of Fi Fa's in favor of Bulloch County for fines issued by the Magistrate Court (see Exhibit #2011-145). Without discussion, Commissioner Gibson offered a motion to approve the Consent Agenda as presented. Commissioner Mosley seconded the motion, and it carried unanimously.

With no items of Old or Unfinished Business, Chairman Nevil stated that the first item of New Business was the discussion and or action to dispense with the reading and adopt a resolution to certify the abandonment of County Road #444 and a portion of County Road #717 according to the standards prescribed by State law. Chairman Nevil called on County Manager Thomas Couch to initiate the discussion regarding the matter, and Mr. Couch stated that the roads have ceased to be used by the public to the extent that no substantial public purpose is served by them or their removal from the county road system. Without discussion, Commissioner Thompson offered a motion to approve a resolution to certify the abandonment of County Road #444 and a portion of County Road #717 according to the standards prescribed by State law (See Exhibit #2011-146). Commissioner Rushing seconded the motion, and it carried unanimously.

Chairman Nevil stated that the second item of New Business was the discussion and or action to dispense with the reading and adopt a resolution to certify the abandonment of a portion of County Road #198 according to the standards prescribed by State law. Chairman Nevil called on County Manager Thomas Couch to initiate the discussion regarding the matter, and Mr. Couch stated that the road has ceased to be used by the public to the extent that no substantial public purpose is served by them or their removal from the county road system. Without discussion, Commissioner Rushing offered a motion to approve a resolution to certify the abandonment of a portion of

County Road #198 according to the standards prescribed by State law (See Exhibit #2011-147). Commissioner Gibson seconded the motion, and it carried unanimously.

Chairman Nevil stated that the third item of New Business was the discussion and or action to grant alcoholic beverage license renewals for the various classified licensees according to the schedule submitted for calendar year 2012, and to approve a new alcoholic beverage license for retail beer and wine sales to Pallavi Patel of Zip N Food #16, located at 2301 Old Register Road in Unincorporated Bulloch County. Chairman Nevil called on Clerk of the Board Maggie Fitzgerald to initiate the discussion regarding the matter, and Ms. Fitzgerald recommended approval of the renewals and the new license. After some discussion, Commissioner Thompson grant alcoholic beverage license renewals for the various classified licensees according to the schedule submitted for calendar year 2012, and to approve a new alcoholic beverage license for retail beer and wine sales to Pallavi Patel of Zip N Food #16, located at 2301 Old Register Road in Unincorporated Bulloch County (See Exhibit #2011-148). Commissioner Rushing 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, Commissioner Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson all thanked the East Georgia College and Georgia Southern University students for attending the meeting and wished everyone a Happy Holidays.

After further discussion, Chairman Nevil asked for comments from the Staff, and County Manager Thomas Couch stated that a memo had been passed out to the Board regarding financial matters that need to be discussed during the next meeting. Clerk of the Board Maggie Fitzgerald reminded the Board about upcoming Christmas parties.

Chairman Nevil asked if there were any further comments from the Commission or Staff. Hearing no further comments from the Board or Staff, Chairman Nevil stated that there was no further business expected for the open session of the regular agenda, and the Board must close the meeting and enter into Executive Session to discuss Potential Real Estate Acquisition, Litigation, and Personnel Matters. Chairman Nevil

stated that at the conclusion of the Executive Session, which was expected to last about fifteen minutes, the Board would reconvene and in all likelihood move for adjournment. Chairman Nevil called for a motion to recess and then to adjourn into Executive Session in accordance with the provisions of O.C.G.A. 50-14-3 and other applicable laws, pursuant to the advice of the Chief Corporate Counsel, Jeff Akins, for the purposes of deliberating on Potential Real Estate Acquisition, Litigation, and Personnel Matters. Without further discussion, Commissioner Ethridge offered a motion to enter into Executive Session to discuss Potential Real Estate Acquisition, Litigation, and Personnel Matters (See Exhibit #2011-149). Commissioner Simmons 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, and Chairman Nevil asked if there were any further comments from the Commission or Staff. Hearing no comments from the Board or Staff, Chairman Nevil asked for a motion to adjourn. Commissioner Gibson 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