

February 16, 2010
Statesboro, GA

Regular Meeting

The Board of Commissioners met at 8:30 a.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 Tankersley, Commissioner Simmons, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson. The following staff were present: County Manager Thomas Couch, Parliamentarian George Rountree, Chief Financial Officer Harry Starling, Public Safety Director Ted Wynn, Statesboro Bulloch County Parks and Recreation Director Mike Rollins, Transportation Director Eddie Smith, Probation Director Christie Black, Human Resource Director Heather McNeal, Deputy Clerk Christy Strickland, and Development Services Director Andy Welch.

After Roll Call, the first item of business was the approval of the Minutes for the Regular Meeting that was held on February 2, 2010. Chairman Nevil asked for corrections or modifications. Without hearing corrections or modifications, Commissioner Simmons offered a motion to approve the minutes of the meeting as presented. Commissioner Tankersley seconded the motion, and it carried unanimously.

The next 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 address the Board, and requested that the following amendments be made to the General Agenda: (1) To add Item #8 to the Consent Agenda to dispense with the reading and adopt a Resolution for the Second Final Amendment to the Fiscal Year 2009 General Appropriations Budget as recommended by the Chief Financial Officer and (2) to add as Item #2 to the New Business Agenda for the discussion and/or action to approve an Alcoholic Beverage License for retail beer and wine by the drink at Shoguns Restaurant located at 12218 Highway 301 South, Statesboro, Georgia, in unincorporated Bulloch County. Hearing no further amendments, Commissioner

Tankersley offered a motion to approve the General Agenda as amended. Commissioner Simmons seconded the motion, and it carried unanimously.

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 public comments, Chairman Nevil moved forward to the scheduled Presentation

The next item, which was added to the Agenda, was a Presentation by Marcia Bentley regarding Georgia Southern University's Talent Search Program. Ms. Bentley summarized that the program is federally funded, and offers college prep tutoring free for middle and high school students from low income families and students from families that consist of no college graduates. Ms. Bentley asked that the Board help spread the word about the Talent Search Program throughout Bulloch County. Commissioner Tankersley stated that Ms. Bentley should discuss the program with the Boys and Girls Club. After further discussion, Chairman Nevil thanked Ms. Bentley for her presentation and offered to help spread the word of the Talent Search Program.

The next item on the Agenda was to approve the Consent Agenda as amended: (1) to authorize the County Manager to execute a purchase order and contract based on the lowest and most advantageous bid with Dabbs-Williams Contractors of Statesboro, Georgia, for SPLOST-CIP Project Category CF-09-02, the construction of the Luetta Moore Community Center (See Exhibit #2010-27); (2) to authorize the Chairman of the Board to execute an agreement with the University of Georgia's Cooperative Extension Service to update a Memorandum of Understanding regarding services to be provided for Bulloch County (See Exhibit #2010-28); (3) to authorize the Chairman of the Board to execute a Notice of Intent petitioned by the Georgia Department of Transportation for the naming of the Savannah River Parkway Spur at the termini designated within unincorporated Bulloch County (See Exhibit #2010-29); (4) to authorize the Chairman of the Board to execute deeds for the acceptance and dedication of Water Wheel Way as a public road in unincorporated Bulloch County (See Exhibit #2010-30); (5) to authorize the County Manager to execute a blanket purchase order and fixed price agreement for the lowest and most advantageous bid with Boan-Art Graphics of Statesboro, Georgia, for imprinted sportswear for the Parks and Recreation Department (See Exhibit #2010-

31); (6) to re-appoint Ms. Carolyn Etheridge and Mr. Bryan Burke to the Coastal Area Development District Authority for a two year term; (7) to authorize the Chairman of the Board to execute an Agreement with the State Court of Bulloch County for the provision of Probation Services by the County Probation Department (See Exhibit #2010-32); (8) to dispense with the reading and adopt a Resolution for the Second Final Amendment to the Fiscal Year 2009 General Appropriations Budget, as recommended by the Chief Financial Officer (See Exhibit #2010-33). Without discussion from the Board, Commissioner Simmons offered a motion to approve the Consent Agenda as amended. Commissioner Tankersley 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 the approval of an Alcoholic Beverage License for package retail beer and wine sales for Dipakkumar Patel at the Ace Stop & Go located at 21196 Highway 80 East, Statesboro, Georgia, in Unincorporated Bulloch County. Chairman Nevil called on Clerk of the Board Maggie Fitzgerald to initiate the discussion regarding the matter, and Ms. Fitzgerald stated that the Board denied the 2010 license renewal for the store on January 5, 2010, but the store is now under new ownership. After discussing the current Alcohol Ordinance, Commissioner Simmons offered a motion to approve an Alcoholic Beverage License for package retail beer and wine sales for Dipakkumar Patel at the Ace Stop & Go located at 21196 Highway 80 East, Statesboro, Georgia, in Unincorporated Bulloch County. Commissioner Tankersley seconded the motion, and it carried with a four to one vote. Commissioner Gibson voted against the motion.

The second item of New Business was the discussion and/or action to consider the approval of an Alcoholic Beverage License for retail beer and wine by the drink sales for Ling S. Roshto at the Shogun Restaurant located at 12218 Highway 301 South, Statesboro, Georgia, in Unincorporated Bulloch County. Chairman Nevil called on Clerk of the Board Maggie Fitzgerald to initiate the discussion regarding the matter, and Ms. Fitzgerald stated that Shoguns Restaurant had a change in ownership, and that the previous owner surrendered her 2010 license the first week in February. Ms. Fitzgerald stated that Ms. Roshto is the new owner of the restaurant, and recommended approval of the license. Without further discussion, Commissioner Tankersley offered a motion to

approve an Alcoholic Beverage License for retail beer and wine by the drink sales for Ling S. Roshto at the Shogun Restaurant located at 12218 Highway 301 South, Statesboro, Georgia, in Unincorporated Bulloch County. Commissioner Simmons seconded the motion, and it carried unanimously.

The third item of New Business was the discussion and/or action with regards to the proposed dispensation of the reading and adoption of a Resolution committing funds for local share of a federal grant award to join the Regional Public Transit Demand-Response Service, also known as "Coastal Coaches," administered by the Coastal Georgia Regional Commission. Chairman Nevil called on County Manager Thomas Couch to initiate the discussion regarding the matter, and Mr. Couch summarized that the Regional Commission came before the Board prior to Fiscal Year 2010 with a similar proposal which at that time required an annual local match of over \$50,000.00 and that in January, Mr. Allen Burns, Executive Director of the Coastal Regional Commission, informed Mr. Couch of the opportunity for reconsideration for the program at a substantially lower appropriations as a result of Camden entering the program last year, whom like Bulloch County did not participate at the initiation of the program. Mr. Couch stated that he was advised that to maximize the opportunity of the lower entry cost, consideration of commitment must be made according to the schedule preferred by the Georgia Department of Transportation and the Federal Transit Administration, and that adopting the Resolution to participate in the program would require a special warrant not to exceed \$20,000.00 to be committed in the Fiscal Year 2011 Budget. Mr. Couch called on Mr. Allen Burns, and Mr. Burns stated that the Regional Public Transit Demand-Response Service just completed the first year of operation and that it is a voluntary service. Mr. Burns stated that the service is based on cost-sharing and Bulloch County and Camden County chose not to participate the first year, but that Camden County has decided to participate in the second year which will lower the cost for Bulloch County to participate. After further discussion, Mr. Burns yielded the floor to Ms. Barbara Hurst, Transportation Director for the Coastal Regional Commission, explained the Rural Transit System, funding of the service, how the service works, doubling the fleet size, and using stimulus funding to double the size of the fleet. After further discussion, Commissioner Thompson offered a motion to table the proposed dispensation of the

reading and adoption of a Resolution committing funds for local share of a federal grant award to join the Regional Public Transit Demand-Response Service, also known as “Coastal Coaches,” administered by the Coastal Georgia Regional Commission until the March 2, 2010 meeting in order to further research the service. Commissioner Rushing seconded the motion, and it carried unanimously.

The fourth item of New Business was the discussion and/or action with regard to approving a proposal for a preliminary engineering study for the intersection of Pretoria Rushing Road, Burkhalter Road, and the S&S Greenway. Chairman Nevil called on County Manager Thomas Couch to initiate the discussion regarding the matter, and Mr. Couch stated that the proposal was for a preliminary engineering study for the “Five Points” intersection design based on Qualifications Based Selection (QBS), and that the study needs to be accelerated in order to accommodate design review for an approved convenience store at the intersection. Mr. Couch stated that after Staff evaluations, the recommendation was to select the LPA Group. Mr. Couch asked for authorization to engage LPA in this project under the CIP Project Category PR-10-04 with County Staff and Legal Counsel negotiating the contract for the County Manager to execute at the cost estimate of \$17,082.00. Without further discussion, Commissioner Gibson offered a motion to approve a proposal for a preliminary engineering study for the intersection of Pretoria Rushing Road, Burkhalter Road, and the S&S Greenway and to engage LPA in this project under the CIP Project Category PR-10-04 with County Staff and Legal Counsel negotiating the contract for the County Manager to execute at the cost estimate of \$17,082.00 (See Exhibit #2010-34). Commissioner Simmons seconded the motion, and it carried unanimously.

With two more items of New Business pending, Chairman Nevil called for a ten minute recess. Commissioner Thompson offered a motion to Recess for 10 minutes. Commissioner Tankersley seconded the motion, and it carried unanimously.

The Regular Meeting reconvened at 10:23 a.m., and the fifth item of New Business was the discussion regarding a Presentation by Mr. Rahn Milligan, Regional Representative for the Georgia Soil and Water Conservation Commission addressing the Board on Soil Erosion and Sedimentation Administration and Enforcement. Chairman Nevil called on County Manager Thomas Couch to initiate the discussion regarding the

matter, and Mr. Couch stated that the Soil and Water Conservation Commission visits the County annually to review our Soil Erosion and Sedimentation Control program and to give the Staff technical advice and assistance and reviews a lot of plans for permits for the County. Mr. Couch introduced and yielded the floor to Mr. Rahn Milligan, and Mr. Milligan discussed Bulloch County's responsibilities for being a Local Issuing Authority for the ENS Act, maintaining the Ordinance regarding the National Pollutant Discharge Elimination System (ENS Act), issuing land disturbance permits, collecting fees, maintaining record keeping systems, a complaints investigation and compliance program must be implemented, and that any staff hired to participate in the ENS program has a six month window to obtain the proper certification and training. Mr. Milligan stated that the County has been making good strides to maintain and enforce the ENS Act. After further discussion, Chairman Nevil thanked Mr. Milligan for his presentation and for being supportive and helpful to the Staff of Bulloch County.

The final item of New Business was the discussion regarding a Presentation on the proposed Recreation Master Plan by Lose and Associates of Nashville, Tennessee, on behalf of the Parks and Recreation Department. Chairman Nevil called on County Manager Thomas Couch to initiate the discussion regarding the matter, and Mr. Couch yielded the floor to Statesboro Bulloch County Parks and Recreation Director Mike Rollins. Mr. Rollins stated that Chris Kamp from Lose and Associates would present the second update of the Parks and Recreation Master Plan, which serves as a planning document that provides guidance, program development, potential facility construction, and addresses management issues that deal with providing Recreation County wide. Mr. Kamp summarized the Master Plan, and stated that the plan is a report that examines demographic profile, public input, programming assessment, park assessments and recommendation, and budget and funding analyses. In conclusion, Mr. Kamp discussed the wish list that was formed from the public meetings that were held in January and February of 2009, the future priorities, and stated that the Capital Development Cost over the next ten years could consist of \$37.65 million dollars for park renovations, new park and facility development, and greenway recommendations. After further discussion, Chairman Nevil thanked Mr. Kamp for the presentation and moved forward to the next item of business. Commissioner Simmons exited the meeting at 10:50 a.m.

With no further items of New Business, Chairman Nevil asked if there were any comments from the Commission or Staff. Chairman Nevil asked each Commissioner to take thirty seconds for any general comments or statements, beginning with Mrs. Tankersley and then proceeding down the bench accordingly. Commissioner Tankersley asked that the Board read the information posted on ACCG's website about potential legislative bills, and discussed a future reception for GEFA that might be held in Statesboro in May. After further discussion, County Manager Thomas Couch reminded the Board about the Meeting with the Development Authority at 5:30 p.m., and discussed a future lunch meeting with Patti Lyons from Senior Citizens, Inc. Mr. Couch and the Board agreed to hold a Workshop on Tuesday, February 23rd to discuss the midyear finance report and purchasing policy issues. Clerk of the Board Maggie Fitzgerald discussed the need for the Board to publicly support the Census, reminded the Board about the ACCG Annual Meeting in Savannah, and informed the Board that she and Deputy Clerk Christy Strickland would be in Athens for Clerk training from February 21st until February 24th.

Without any further comments from the Commission 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 to discuss Pending Litigation in Executive Session. Chairman Nevil stated that at the conclusion of the Executive Session, which was expected to last fifteen to thirty minutes, the Board would reconvene in all likelihood to move for adjournment and may or may not take further action on the items discussed in Executive Session. Chairman Nevil called for a motion to adjourn into Executive Session in accordance with the provisions of O.C.G.A. 50-14-2, 50-14-3, and other applicable laws, pursuant to the advice of the County Attorney In-Proxy, Mr. George Rountree, for the purposes of deliberating on Pending Litigation (See Exhibit #2010-35). Without further discussion, Commissioner Tankersley offered a motion to enter into Executive Session to discuss Pending Litigation. Commissioner Gibson seconded the motion, and it carried unanimously. Commissioner Rushing, Commissioner Gibson, Commissioner Tankersley, and Commissioner Thompson voted in favor of the motion.

After adjourning from Executive Session, Chairman Nevil asked for any further comments from the Commissioner or Staff. Hearing none, Chairman Nevil asked for a motion to adjourn the Regular Meeting. Commissioner Rushing offered a motion to adjourn the meeting. Commissioner Thompson seconded the motion, and it carried unanimously.

J. Garrett Nevil, Chairman

Attest: Maggie Fitzgerald, Clerk of the Board