

February 17, 2009
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. Commissioner Roy Thompson gave the invocation and the pledge of allegiance.

Mr. Thomas Couch, County Manager, performed the roll call of the commissioners and staff. The following commissioners were present: Chairman Nevil, Vice Chairman Thompson, Commissioner Rushing, Commissioner Tankersley, Commissioner Gibson, Commissioner Jackson, and Commissioner Simmons. The following staff were present: County Manager Thomas Couch, Human Resource Director and Recording Secretary Heather McNeal, County Attorney Charles Brown, Chief Financial Officer Harry Starling, County Planner Andy Welch, County Engineer and Capital Projects Director Kirk Tatum, Transportation Director Eddie Smith, Purchasing Manager Kenneth Trapnell, and Statesboro Bulloch County Parks and Recreation Community Services Director Sherrie Zeigler.

Chairman Nevil asked for changes or modifications of the General Agenda. Hearing none, Commissioner Tankersley offered a motion to approve the General Agenda as presented. 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 February 2, 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. Mrs. Jeanne Ann Marsh, member of the Planning and Zoning Commission, asked to address the Board to request that the County provide formal training for the members of the Planning and Zoning Commission. County Manager Couch stated that Mr. Welch and Mr. Newman would survey the Commission for training suggestions, and then line up the training according to the suggestions. Next, Mr. Robbie Bell asked to address the Board to be allowed to ask questions during the work shop about some issues

with the Comprehensive Plan and the Airport Overlay Districts. Chairman Nevil agreed to defer Mr. Bell's questions and comments until the Workshop. With no further public comments and no petitions received in writing, Chairman Nevil moved on to the next item on the Agenda.

The next item on the agenda was to approve the Consent Agenda as presented: (1) To authorize the County Manager to execute and award an agreement and purchase order based on the staff recommendation for a sole source procurement to the Willis Blume Agency of Orangeburg, South Carolina, for entertainment at the Mill Creek Fourth of July celebration with funds to be appropriated from the Recreation Department Annual Operating Budget (See Exhibit #2009-13); (2) To authorize the County Manager to execute and award an agreement and purchase order based on the staff recommendation for the lowest and most responsible bid with Sports Supply Group of Jenkinstown, PA, for Spring Youth Baseball and Softball uniforms with funds to be appropriated from the Recreation Department Annual Operating Budget (See Exhibit #2009-14); (3) To dispense with the reading and adopt a Resolution based on the staff recommendation to accept the Dedication of Deed and Title in favor of Bulloch County for the roads and right-of-ways in Westway Subdivision (See Exhibit #2009-15); (4) To make the following appointments to the Planning and Zoning Commission: Mr. Charles Chandler, Ms. Yolanda Tremble, and Mr. Larry Jones; and to the DFACS Board: Mr. Bing Phillips; and (5) To appropriate \$5,000.00 based on the recommendation of the County Manager to PRIDE Youth Programs of Bulloch County from the Drug Training and Education Fund (See Exhibit #2009-16). After some discussion from Commissioner Gibson and Commissioner Tankersley in regards to the Fourth of July Celebration, Commissioner Tankersley offered a motion to approve the Consent Agenda as presented. Commissioner Simmons seconded the motion, and it carried unanimously.

With no items of Old Business, Chairman Nevil stated that the first item of New Business was the discussion and/or action to adopt a temporary amendment to the County Purchasing Policies. County Manager Thomas Couch explained that the temporary amendment would be in effect until December 31, 2009, to allow local vendors to match the lowest cost proposal in a bid solicitation over \$5,000.00, if they are within 5%, instead of 3% (See Exhibit #2009-17). Commissioner Thompson offered a motion to

approve a temporary amendment to Section 1.7 of the County Purchasing Policies to be in effect until December 31, 2009, to allow for submitting local vendors to match the price for items over \$500.00 if they are within 5% of the lowest bid or quotation except for public works construction projects. Commissioner Gibson seconded the motion, and it carried unanimously.

The next item of New Business was the discussion and/or action regarding alcohol issues. County Manager Couch deferred the discussion to County Attorney Charles Brown. Mr. Brown presented several issues pertaining to alcohol consumption by minors in our community and quoted code sections from the Bulloch County Alcohol Ordinance in reference to alcoholic beverage sales to a minor and the punishment for violations. Sheriff's Office Investigator Jared Akins explained the investigation and the process of the compliance check regarding thirty one convenience stores in the unincorporated areas of the county. Investigator Akins stated that the following seven businesses were found to be in violation of selling alcoholic beverages to a minor: (1) Ace Stop & Go located at 21196 Highway 80 East; (2) Neighbor's #95 located at 3443 Middleground Road; (3) Clyde's Market #74 located at 17500 Highway 301 North; (4) Eldora Penny Saver located at 249 Eldora Road; (5) Zip-N-Food #8 located at 5823 Highway 24 East; (6) Stilson Country Store located at 8286 Highway 80 East; and (7) Quick Stop located at 17216 Highway 67. After further discussion from Investigator Akins, Captain Todd Hutchens, Sheriff Lynn Anderson, Chairman Nevil, Commissioner Thompson, and Commissioner Jackson, Mr. Brown recommended that the Commissioners authorize him to send Certified Letters to the five licensees stating that their stores will continue to be under surveillance and that if they are found to be in violation again, their alcohol licenses will be immediately revoked. Chairman Nevil asked for any further questions or comments and thanked everyone for their hard work. Without any further discussion, Commissioner Simmons offered a motion to approve Charles Brown to warn underage sales violators via certified letter that each business would be under surveillance and that a second offense would warrant revocation of their alcohol licenses. Commissioner Rushing seconded the motion, and it carried unanimously.

Next, Mr. Brown explained how the County's Alcohol Ordinance prohibits gambling machines located within businesses that sell alcohol. Mr. Brown stated that Investigator Akins and Captain Hutchens contacted him regarding multiple complaints they received from members of the community about several different convenience stores that house these gambling machines and sell alcohol. Mr. Brown discussed how he sent two different letters to all alcohol license holders to remind them about the code section relating to gambling machines, and stated that only four businesses decided to keep the machines. Investigator Akins presented more information about the concerns from the community regarding these gambling machines, such as the moral ramifications, the criminal elements, and the impact on other businesses that are not in possession of the gambling machines. Investigator Akins continued his presentation by detailing the ongoing surveillance of several stores that were known to house gambling machines and the State's laws governing the machines. After further discussion from Mr. Brown, Investigator Akins, Captain Hutchens, Commissioner Thompson, Commissioner Gibson, and Sheriff Anderson, Chairman Nevil stated that Sheriff Anderson has the support of the Commissioners to handle the gambling situation however he deems necessary within the laws of the State and the County. Without further comments, Chairman Nevil stated that no action was needed as of this time.

Chairman Nevil asked if there were any comments from the staff or Board. County Manager Couch asked to address the Board and stated that the Director of the Statesboro Regional Library, Lois Roberts, has decided to retire and has turned in her resignation to the Library Board. Commissioner Rushing stated that Mr. Raybon Anderson has expressed his concern about the rapid growth of Ogeechee Hospice and that the Commissioner might consider the old Hospital property for the future needs of Ogeechee Hospice.

Chairman Nevil asked for further discussion or comments from the staff or the board. Hearing none, Chairman Nevil stated that the Board would recess for five minutes and then reconvene for a Workshop.

J. Garrett Nevil, Chairman

Attest: Maggie Fitzgerald, Clerk of the Board