

March 2, 2010
Statesboro, GA

Regular Meeting

The Board of Commissioners met at 4:30 p.m. in the Community Room of the North Main Annex. Chairman Nevil welcomed guests and called the meeting to order. Chairman Nevil 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 (arrived at 4:55 p.m.). The following staff were present: County Manager Thomas Couch, Staff Attorney Jeff Akins, Chief Financial Officer Harry Starling, Zoning Administrator Randy Newman (arrived at 6:30 p.m.), Capital Projects Director Kirk Tatum, Tax Commissioner James Deal, Chief Tax Assessor John Scott, and Planning and Zoning Development Director Andy Welch.

After Roll Call, the first item of business was the approval of the General Agenda. Chairman Nevil asked for amendments or modifications of the General Agenda. Hearing none, Commissioner Simmons offered a motion to approve the General Agenda as presented. Commissioner Tankersley seconded the motion, and it carried unanimously.

The next item of business was the approval of the Minutes for the Regular Meeting that was held on February 16, 2010. Chairman Nevil asked for corrections or modifications. Without hearing corrections or modifications, Commissioner Tankersley offered a motion to approve the minutes of the meeting as presented. 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 next item on the Agenda.

Without any items for the Consent Agenda, Chairman Nevil stated that the next item of business was the Unfinished Business regarding the discussion and/or action to dispense with the reading and authorize a Resolution concerning a proposal to offer demand-response public transit service for Bulloch County through the Coastal Regional

Commission's (CRC) Coastal Coaches Program. Chairman Nevil called on Mr. Couch to initiate the discussion regarding the matter, and Mr. Couch summarized the history of the program, and stated that a private business, Resource Management Systems, has also approached the County about providing the same services as the CRC. After further discussion, Chairman Nevil suggested deferring the item while the Staff would provide a side-by-side analysis of both companies and their programs for the Board before the next meeting. Without further discussion from the Board, Commissioner Tankersley offered a motion to defer the discussion and/or action to dispense with the reading and authorize a Resolution concerning a proposal to offer demand-response public transit service for Bulloch County through the Coastal Regional Commission's (CRC) Coastal Coaches Program until the March 16, 2010, Board of Commissioner's Meeting. Commissioner Rushing seconded the motion, and it carried unanimously.

The first item of New Business was the discussion and/or action to consider options and planning for CIP Project #CF-06, General Administration Complex to house the Tax Commissioner, Tax Assessor, and the Board of Elections. Chairman Nevil called on Mr. Couch to initiate the discussion regarding the matter, and Mr. Couch stated that the County has about 1.8 million dollars of SPLOST funds available to pay for the construction of a new building that would be located on the old Bulloch County Memorial Hospital land. Mr. Couch yielded the floor to Tax Commissioner James Deal and Chief Tax Assessor John Scott to discuss and/or present their departmental needs. Mr. Scott stated that the Tax Commissioner and Tax Assessor offices need to be located within the same building, and that he would need at least 5,000 square feet to house his office. Next, Mr. Deal stated that his department needs about the same amount of space as the Tax Assessor, and that having a secure and easy to access office are his main priorities. Commissioner Thompson and Commissioner Rushing both discussed the potential for deeding the Ogeechee Area Hospice more of the old Bulloch County Memorial Hospital land for future expansion, while also using the remaining land for the General Administration Complex. Staff Attorney Jeff Akins reminded the Board that the County cannot legally convey any property to Ogeechee Area Hospice. Mr. Akins further stated that, as with the current Hospice property, the County could deed the property to the Hospital Authority, and the Authority could then deed the property to

Hospice. After lengthy deliberation from the Board and Mr. Couch, Commissioner Tankersley offered a motion to authorize the County Manager to scope the project for a new General Administration Complex. Commissioner Simmons seconded the motion, and it carried unanimously.

The second item of New Business was the discussion and/or action to authorize the County Manager to negotiate a contract with Martin and Rule Architects based on a proposal for professional design services for the enclosure of exterior space at the Judicial Annex. Chairman Nevil called on Mr. Couch to initiate the discussion regarding the matter, and Mr. Couch stated that Martin and Rule were the original architects of the building, and that the extra space is needed for the Clerk of Courts record storage. Mr. Couch stated that the project is identified as #CF-04 in the County's Capital Improvements Plan, and that \$15,000.00 was allocated in FY 2010 for design services and \$135,000.00 was allocated in FY 2011 for construction, fixtures, and equipment. After further discussion, Commissioner Thompson offered a motion to authorize the County Manager to negotiate a contract with Martin and Rule Architects based on a proposal for professional design services for the enclosure of exterior space at the Judicial Annex (See Exhibit #2010-36). Commissioner Simmons seconded the motion, and it carried unanimously.

The third item of New Business was the discussion for other Commission Initiated Topics. Mr. Couch asked to address the Board, and stated that the Board could initiate discussion during Commission and Staff Comments. The Board agreed and moved forward to the next item on the Agenda.

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. Without hearing any comments from Commissioner Tankersley and Commissioner Simmons, Chairman Nevil stated that the Community Retreat went well, and generated a lot of good ideas that will hopefully produce a good outcome for our community. Next, Commissioner Thompson stated that Chairman Nevil summarized the Community Retreat for him, and that he is looking forward to working on the ideas that were discussed. Commissioner Rushing and

Commissioner Gibson did not have any comments for the Board or Staff. County Manager Thomas Couch stated that the audit should be complete by the end of the week. Next, Clerk of the Board Maggie Fitzgerald discussed ACCG's Annual Meeting in Savannah. Without hearing any further comments from the Commission or Staff, Chairman Nevil moved forward to the next item on the Agenda.

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 Land Acquisition, Pending Litigation, and Potential Ligation in Executive Session. Chairman Nevil stated that at the conclusion of the Executive Session, the Board would Recess with the expectation of reconvening at 6:30 P.M. to proceed with the Zoning agenda. Chairman Nevil called for a motion to adjourn into Executive Session in accordance with the provisions of O.C.G.A. 50-14-2, O.C.G.A. 50-14-3, and other applicable laws, pursuant to the advice of the Chief Corporate Counsel, Mr. Jeff Akins, for the purposes of deliberating on Land Acquisition, Pending Litigation, and Potential Ligation. Without further discussion, Commissioner Rushing offered a motion to enter into Executive Session to discuss Land Acquisition, Pending Litigation, and Potential Ligation (See Exhibit #2010-37). Commissioner Gibson seconded the motion, and it carried unanimously. Commissioner Simmons, Commissioner Rushing, Commissioner Gibson, Commissioner Tankersley, and Commissioner Thompson voted in favor of the motion.

The meeting was reconvened 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 Zoning Administrator Randy Newman to present the four items of business.

Zoning Administrator Randy Newman presented Item #1 which was an application submitted by Mike Henderson and Mary Foreman requesting a conditional use to allow multiple uses/buildings on one parcel of land with the intent to allow a Gasoline Station with a Convenience Store, General Business, Mini Storage Warehouses, a Day Care Facility, and Used Merchandise on 3.73 acres of a 17.2 acre tract. The property is located at the intersection of Old Riggs Mill Road and Cypress Lake Road,

tax map #047B 000019 000. The Planning and Zoning Commission and Staff recommended the denial of the conditional use request. Acting as Agent, Mr. John Dotson requested that the item be deferred until the April 6th Zoning Meeting. Mr. Newman stated that one person signed up to speak in opposition of the request, but that Ms. Cathy Dixon would not speak due to the deferral request by Mr. Dotson. Without further discussion, Commissioner Thompson offered a motion to defer Mr. Mike Henderson and Ms. Mary Foreman's conditional use request until the April 6th Zoning Meeting. Commissioner Gibson seconded the motion, and it carried unanimously.

Zoning Administrator Randy Newman presented Item #2 which was an application submitted by Terry Patray requesting a conditional use to operate a Family Personal Care Home. The property consists of 0.62 acres and is located on Longwood Drive in Grove Lakes Subdivision, tax map #MS93 000058 000. The Planning and Zoning Commission and Staff recommended the approval of the conditional use request with conditions. Acting as Agent, Mrs. Sherrill stated that she wants to help the elderly, and will only house two clients in her home at a time. Mr. Newman stated that no one signed up to speak in regards to the request. Without further discussion, Commissioner Simmons offered a motion to approve Terry Patray's conditional use request to operate a Family Personal Care Home with the conditions set forth in Exhibit #2010-38. Commissioner Tankersley seconded the motion, and it carried unanimously.

Zoning Administrator Randy Newman presented Item #3 which was an application submitted by Ardell and Catherine Stackpole requesting a conditional use to operate a church in an existing building located on 1.74 acres. The property is located on Page Place Road, tax map #MS33 000037 001. The Planning and Zoning Commission and Staff recommended the approval of the conditional use request with conditions. Neither Ardell nor Catherine Stackpole were present to speak. Mr. Newman stated that no one signed up to speak in regards to the request. Without further discussion, Commissioner Tankersley offered a motion to approve Mr. and Mrs. Stackpole's conditional use request to operate a church in an existing building located on 1.74 acres with the conditions set forth in Exhibit #2010-39. Commissioner Gibson seconded the motion, and it carried unanimously.

Zoning Administrator Randy Newman presented Item #4 which was an application submitted by Naomi Neville requesting a rezone from AG-5 (Agricultural 5 Acres) to HI (Heavy Industrial) as well as a conditional use for a Junk Yard, Salvage Yard, and Auto Wrecking Yard. The property is located on Neville Dairy Road, tax map #064 000001 000. The Planning and Zoning Commission recommended the approval of the rezone and conditional use requests with conditions and the Staff recommended the denial of both requests. Acting as Agent, Mr. Sam Neville Jr., stated that the business would be called Patriot Parts, and that he would install a privacy fence and create an access road to use when hauling in the salvaged automobiles. Mr. Newman stated that no one signed up to speak in regards to the request. Without further discussion, Commissioner Thompson offered a motion to approve Ms. Naomi Neville's request for a rezone from AG-5 (Agricultural 5 Acres) to HI (Heavy Industrial) as well as a conditional use request for a Junk Yard, Salvage Yard, and Auto Wrecking Yard with the conditions set forth in Exhibit #2010-40. Commissioner Tankersley seconded the motion, and it carried unanimously.

Sign-in sheets for Zoning Matters are shown in Exhibit #2010-41.

Mr. Couch asked to address the Board, and informed the Board that he would authorize the budgeted amount of \$5,000.00 to the Bulloch County Pride Program. Mr. Couch also stated that the Board would contribute, out of the Public Relations Fund, \$500.00 to the University of Georgia's Endowment that has been created in the name of Jerry Griffin, retiring ACCG Executive Director, for a Scholarship at the University of Georgia.

After further discussion, Commissioner Simmons offered a motion to adjourn the Zoning and Land Use Meeting. Commissioner Rushing seconded the motion, and it carried unanimously.

J. Garrett Nevil, Chairman

Attest: Maggie Fitzgerald, Clerk of the Board