

May 3, 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. 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, Vice Chairman Mosley, Commissioner Ethridge, Commissioner Simmons, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson. The following staff were present: County Manager Thomas Couch, County Attorney Jeff Akins, Chief Financial Officer Harry Starling, Development Services Director Andy Welch, Area Road Superintendent Mike Boyett, Area Road Superintendent Therman Fail, County Engineer and Capital Projects Director Kirk Tatum, Public Safety Director Ted Wynn, and Zoning Administrator Randy Newman.

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. County Manager Thomas Couch asked to amend the General Agenda deferring the scheduled Presentation from the Red Cross until the first meeting in June. 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 held on April 19, 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 Simmons 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 to appear before the Board for a Presentation by Mr. Roger Comstock who wishes to discuss the paving process with Asphalt Zipper. Mr. Comstock discussed how the Zipper machine works and the price of the different machines. Mr. Comstock also discussed setting up a demonstration for the Board. After further discussion, Chairman Nevil thanked Mr. Comstock for his Presentation.

Without any items of Old or 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 thanked the East Georgia students for coming to the meeting. Commissioner Mosley welcomed the audience, and thanked Chairman Nevil, Commissioner Gibson, and Mr. Couch for attending the ACCG Commissioners Training Program Certification Recognition Ceremony in Savannah. Commissioner Rushing stated that he has received several requests to have the County place a sign at the intersection of US Highway 301 and Veteran's Memorial Parkway restricting 18-wheelers from using the "Jake" brake. Commissioner Rushing stated that citizens living in Hazelwood and Iron Gate can hear the noise all hours of the night. County Manager Thomas Couch and Chairman Nevil stated that they would research the issue. Chairman Nevil reminded the Board about the Ag Committee's BBQ Chicken sale and the 15th year anniversary for Nikko Restaurant.

After further discussion, Chairman Nevil asked for comments from the Staff, and County Manager Thomas Couch stated that Commissioner Gibson suggested Mr. Michael Herrington would possibly fill the County's vacant seat on the Region 5, Mental Health, Developmental Disabilities, and Addictive Diseases Planning Board. Mr. Couch also discussed a proposed scope of work and options for consultants regarding the Master Plan for the I-16/301 Interchange. After further discussion, the Board suggested that Mr. Couch contact the Regional Development Center to create a simplified request for proposal to hire a consultant, and then bring the proposal to the Board for approval.

Hearing no further comments from the Board or Staff, Chairman Nevil stated that there was no further business for the open session of the regular agenda, and the Board would recess for fifteen minutes and then reconvene at 6:30 p.m. for the Zoning and Land Use Meeting.

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 first item of business.

Zoning Administrator Randy Newman presented Item #1 which was an application submitted by Kenneth Meinhardt requesting a Conditional Use to have a Farm Winery with a restaurant used to sell food and to use for weddings, special events, and private parties. Mr. Newman stated that the property consists of 105 acres, and is located on Kennedy Pond Road, tax map #064 000015 000. The Staff recommended and the Planning and Zoning Commission voted to approve the request with conditions. Mr. Meinhardt stated that a restaurant license has been obtained from the Health Department, and that the restaurant would be open on Thursday, Friday, and Saturday nights. Mr. Newman stated that three people signed up to speak regarding the matter. Mrs. Joyce Reed, of Robert Reed Road, spoke in opposition of the request and stated that the noise, traffic, and litter from the patrons of the winery are too much for the neighborhood and that a restaurant will only increase the problems. Mrs. Reed stated that her main concern was the amount of traffic on Robert Reed Road coming and going from the winery, at high rates of speed. Next, Mr. David Reed, of Robert Reed Road, spoke in opposition of the request in regards to the high amount of traffic on the road, and stated that Mr. Meinhardt's patrons should use a different entrance for the winery. Mr. Charlie Aaron, of Savannah Avenue, signed up to speak in favor of the request, but did not speak. After further discussion, Commissioner Simmons offered a motion to approve Conditional Use to have a Farm Winery with facilities to host private and public functions, including but not limited to weddings, receptions, dinners, festivals, socials, and a restaurant with the conditions as set forth in Exhibit #2011-43. Commissioner Ethridge seconded the motion, and it carried unanimously.

Zoning Administrator Randy Newman presented Item #2 which was an application submitted by George Terrell Beasley, Jr., requesting a rezone from R-40 (Residential 40,000 square feet) to AG-5 (Agricultural 5 acres) in order to sell the property to Connection Church, and to build a church on the property within the next two years. Mr. Newman stated that the property consists of 13.76 acres, and is located on Cawana Road, tax map #107 000005 004. The Staff recommended and the Planning and Zoning Commission voted to approve the request with conditions. Acting as agent, Mr. Todd Sarratt stated that members of Connection Church would like the property to be zoned to the original AG-5 zoning in order to build a new church sometime within the next two years. Mr. Sarratt was the only person signed up to speak regarding the request. After further discussion, Commissioner Thompson offered a motion to approve the rezone request from R-40 (Residential 40,000 square feet) to AG-5 (Agricultural 5 acres) with the conditions as set forth in Exhibit #2011-44. Commissioner Gibson seconded the motion, and it carried unanimously.

Zoning Administrator Randy Newman presented Item #3 which was an application submitted by R&H Development Company requesting a rezone from AG-5 (Agricultural 5 acres) to R-25 (Residential 25,000 square feet) in order to divide the property into 134 parcels for single family dwellings. Mr. Newman stated that the property consists of 2 parcels totaling 133 acres, and is located on T.H. Lee Road, tax maps #104 000034 000 and #104 000034 002. The Staff recommended and the Planning and Zoning Commission voted to approve the request with conditions. Acting as agent, Mr. Jim Anderson stated that the development will consist of 134 homes with paved streets and a community water system. Mr. Anderson agreed to all of conditions, but asked for further clarification regarding the mandatory County maintained street light district. No one signed up to speak regarding the request. After further discussion, Commissioner Thompson offered a motion to approve the rezone request from AG-5 (Agricultural 5 acres) to R-25 (Residential 25,000 square feet) with the conditions as set forth in Exhibit #2011-45. Commissioner Ethridge seconded the motion, and it carried unanimously.

Zoning Administrator Randy Newman presented Item #4 which was an application submitted by Billy Allen requesting a Conditional Use to open a funeral

home. Mr. Newman stated that the property consists of 0.44 acres, and is located on Highway 301 North, tax map #MS80 000005A 000. The Staff recommended and the Planning and Zoning Commission voted to approve the request with conditions. Acting as agent, Mr. Jacquavias Roberson requested a twelve month extension regarding the paving of the parking lot. No one signed up to speak regarding the request. After further discussion, Commissioner Simmons offered a motion to approve the Conditional Use to open a funeral home with the conditions as set forth in Exhibit #2011-46. Commissioner Ethridge seconded the motion, and it carried unanimously.

Zoning Administrator Randy Newman presented Item #5 which was an application submitted by the North Congregation of Jehovah's Witness requesting an amendment to a condition which was approved when the rezone request was approved on August 1, 2006. Mr. Newman stated that the congregation are negotiating the sale of the property to C&R Irrigation, an agricultural irrigation company, and are asking that the following condition be removed: "Sufficient right-of-way along Doy Lanier Road from Miller Street Extension must be acquired and dedicated to Bulloch County with paved access to the property. Access along Veteran's Memorial Parkway will be prohibited". Mr. Newman stated that the property consists of 13.76 acres, and is located on Doy Lanier Road, tax map #MS28 000006 003. The Staff recommended and the Planning and Zoning Commission voted to approve the request with conditions. Mr. Mike Cox, of C&R Irrigation, agreed with all of the conditions and asked the Board to approve the request. No one signed up to speak regarding the request. After further discussion, Commissioner Ethridge offered a motion to approve the text amendment with the conditions as set forth in Exhibit #2011-47. Commissioner Rushing seconded the motion, and it carried unanimously.

Sign-in sheets for Zoning Matters are shown in Exhibit #2011-48.

Chairman Nevil asked if there were any further comments from the Commission or Staff. County Attorney Jeff Akins stated that he has been nominated as President Elect for the County Attorney's Association. The Board congratulated Mr. Akins.

Hearing no further comments from the Board or Staff, Chairman Nevil asked for a motion to adjourn. Commissioner Ethridge offered a motion to adjourn the meeting. Commissioner Rushing seconded the motion, and it carried unanimously.

J. Garrett Nevil, Chairman

Attest: Maggie Fitzgerald, Clerk of the Board