

November 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. 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 Ex-Officio Staff. The following commissioners were present: Chairman Nevil, Commissioner Simmons, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson. The following staff were present: County Manager Thomas Couch, Staff Attorney Jeff Akins, Chief Financial Officer Harry Starling, Purchasing Director Kenneth Trapnell, Public Safety Director Ted Wynn, Human Resource Director Heather McNeal, Transportation Director Eddie Smith, Planning and Zoning Development Director Andy Welch, and Bulloch County Correctional Institute Warden Billy Tompkins.

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 Thompson seconded the motion, and it carried unanimously.

The next item of business was the approval of the Minutes for the Regular Meeting and Executive Session that were held on November 3, 2009. Without hearing any corrections or modifications, 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. 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 Consent Agenda.

The next item on the Agenda was to approve the Consent Agenda as presented:

- (1) To Authorize the County Manager to execute a contract with Pyro Shows in the amount of \$7,000.00 for the Swing into Spring Celebration fireworks (See Exhibit

#2009-144) and (2) To Authorize the County Manager to execute a contract with Pyro Shows in the amount of \$15,000.00 for the 4th of July Celebration fireworks (See Exhibit #2009-145). Without any discussion from the Board, Commissioner Simmons offered a motion to approve the Consent Agenda as presented. Commissioner Gibson seconded the motion, and it carried unanimously.

Chairman Nevil stated that the only item under Old/Unfinished Business was the discussion of the Georgia State Patrol Post property. Chairman Nevil called on Jeff Akins, Chief Legal Counsel, to initiate the discussion regarding the property. Mr. Akins informed the Board of the history and background of the property, and stated that the State would like to complete the transfer of the property, but the State Properties Commission no longer accepts reversion clauses that would cause the property to revert back to the County if the Georgia State Patrol ceases to use the property for the Post. Mr. Akins stated that the Board could proceed by one of the following methods: (1) voting to deed the property to the State without a reversion clause; (2) retain ownership of the property and continue to allow them to use it under the current agreement; or (3) negotiate a new agreement. After further discussion from Mr. Akins, County Manager Thomas Couch stated that, in the future, it would be cheaper to deed the property without the reversion clause to the State and then remove the property from the County's Liability Insurance. Mr. Couch recommended that Mr. Akins prepare a resolution for the next meeting authorizing the property to be deeded to the State without the reversion clause. Hearing no further discussion, and with no action taken, Chairman Nevil moved forward to the next item on the Agenda.

Chairman Nevil stated that the first item of New Business was the discussion and/or action to adopt Resolution #2009-40 concerning the Board of Education's General Obligation Sales Tax Bond. Chairman Nevil called on Mr. Marc Bruce, Attorney for the Board of Education, to initiate the discussion of this matter. Mr. Bruce stated that a referendum last March extended the E-SPLOST, and that the BOE intends to issue bonds using a portion of the funds in the sum of \$23,525,000.00 that will be generated by that E-SPLOST which will primarily be used to complete the construction of the two new schools, Sally Z and Julia P elementary schools. Mr. Bruce continued stating that the Resolution is a formality that Bulloch County will collect the E-SPLOST for the BOE,

keep the administrative fee, and then remit the balance to the BOE which in turn will be used to service the debt on the bonds. After further discussion, Commissioner Thompson offered a motion to adopt Resolution #2009-40 concerning the Board of Education's General Obligation Sales Tax Bond. Commissioner Gibson seconded the motion, and it carried unanimously. (See Exhibit #2009-146)

The second item of New Business was the discussion of privatization of right-of-way (row) mowing. Chairman Nevil called on Transportation Director Eddie Smith to initiate the discussion regarding this matter. Mr. Smith stated that ROW mowing costs the County approximately \$101,000.00 per year, and that after discussing the privatization of mowing with Evans County and two contractors who currently perform ROW mowing, Mr. Smith determined that contracting the ROW mowing would only cost \$81,000.00 a year. Mr. Smith discussed the reasons why a contractor can perform the ROW mowing for lower costs, and explained that the ROW mowing is slowed down by the safety and security concerns of the inmates performing the labor. Bulloch County Correctional Institute Warden Billy Tompkins addressed the Board, and discussed the property damage, equipment damage, difficulty of training the inmate labor, and the potential for personal injuries and liabilities that could occur while using inmate labor. After further discussion, Mr. Smith stated that the newly purchased mowers and tractors would not sit unused if the Board decided to privatize the ROW mowing because there will be plenty of other uses for the equipment. In conclusion of the discussion, the Board was in consensus that Mr. Smith and Purchasing Director Kenneth Trapnell would move forward with creating a Request for Proposals to test the market for ROW mowing, and then re-address the Board with the results at a later meeting.

Before moving on to the next item on the Agenda, Mr. Couch asked to address the Board, and recommended that the Executive Session be delayed until the conclusion of Commission and Staff Comments. Chairman Nevil agreed with Mr. Couch's recommendation, and called for comments from the Commission or Staff. Commissioner Thompson discussed the possibility of the county creating a service and charging a fee for the demolition of older mobile homes and using inmate labor for the demolition of these mobile homes. After further discussion, Mr. Couch stated that the idea is worth further study and review. Next, Mr. Couch addressed the Board, and stated that the

meeting with the State Infrastructure Bank and Dr. Gena Evans to discuss loans for paving and resurfacing projects was very successful. Mr. Couch informed the Board about the meeting with Georgia Department of Transportation Commissioner Vance Smith on Monday, November 23rd, to ask for DOT's support with the State Infrastructure Bank loan. Mr. Couch also reminded the Board about the ACCG 12th District meeting in Long County on November 18th. Ms. Fitzgerald asked to address the Board, and asked the Board to participate in this year's Downtown Holiday Celebration Parade on December 4th by riding in the Courthouse Float, and also invited the Board to attend a lunch at the BCCI for Eddie Smith and Bob Smith's employees.

Chairman Nevil asked for additional comments from the Staff or Board. Hearing no further comments from the Board, Chairman Nevil stated the Board would recess and then enter into Executive Session to discuss Personnel Matters and that upon conclusion of Executive Session the Board would reconvene in all likelihood to move for adjournment because the Board does not anticipate taking any further action. Chairman Nevil called for a motion 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, Mr. Jeff Akins, for the purposes of deliberating on Personnel Matters (See Exhibit #2009-147). Without further discussion, Commissioner Gibson offered a motion to enter into Executive Session to discuss Personnel Matters. Commissioner Rushing seconded the motion, and it carried unanimously. Commissioner Simmons, Commissioner Rushing, Commissioner Gibson, and Commissioner Thompson voted in favor of the motion.

After the Executive Session, Chairman Nevil asked for any further comments or questions from the Staff or Board. Hearing none, Chairman Nevil called for a motion to Adjourn. Commissioner Gibson 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