

November 2, 2010
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. Commissioner Roy Thompson 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 Rushing, Commissioner Ethridge, Commissioner Mosley, Commissioner Simmons, Commissioner Thompson, and Commissioner Gibson. The following staff were present: County Manager Thomas Couch, Staff Attorney Jeff Akins, Development Services Director Andy Welch, Chief Financial Officer Harry Starling, Airport Manager Jeff Herrington, Deputy Clerk Christy Strickland, 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. Hearing no amendments or modifications, Commissioner Ethridge offered a motion to approve the General Agenda as presented. Commissioner Simmons seconded the motion, and it carried unanimously.

The next item of business was the approval of the Minutes for the Special Called Meeting held on September 28, 2010, and the Executive Session and Regular Meeting that were held on October 19, 2010. Chairman Nevil called for corrections or modifications to the Minutes. Without hearing any corrections or modifications, Commissioner Mosley offered a motion to approve the minutes as presented. Commissioner Gibson 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 comments from the public, Chairman Nevil moved forward to the scheduled Presentation.

Chairman Nevil stated that the Presentation was petitioned by the Hospital Authority of Bulloch County to discuss the Annual Report. Chairman Nevil called on Mandy Burdett, Executive Administrative Assistant, to come forward and proceed with her Presentation. Mrs. Burdett gave the Board a hand-out, and explained that in accordance with the Intergovernmental Agreement established between the Hospital Authority and the Bulloch County Board of Commissioners in 1996, Bulloch County receives 80% of the net earnings annually for tax relief, 10% is used for non-hospital related grants, and 10% is re-invested for growth. Mrs. Burdett stated that Bulloch County would receive \$962,767.00 for tax relief for 2010, and that the total net earnings since inception were \$23,480,170.00. Chairman Nevil thanked Mrs. Burdett for her presentation.

The next item on the Agenda was to approve the Consent Agenda as follows: (1) To accept the Staff recommendation authorizing the County Manager to execute a professional services agreement with Martin, Rule, and Associates based on the lowest and most responsive proposal for architectural design for a Flight School and Community Aviation building at the Statesboro Bulloch County Airport with proceeds appropriated from the General Appropriations Budget under SPLOST-CIP Project #TA-11-04 (See Exhibit #2010-182); (2) To accept the Staff recommendation to authorize the Chairman of the Board to execute a lease re-assignment from the Georgia Forestry Commission to the Georgia Aviation Authority for a hanger at the Statesboro Bulloch County Airport (See Exhibit #2010-183); and (3) To approve and authorize the reappointment of Dr. Bobby Mooney and Dr. George Lewis to the Bulloch County Alcohol and Drug Council. Without discussion, Commissioner Simmons offered a motion to approve the Consent Agenda as presented. Commissioner Mosley seconded the motion, and it carried unanimously.

Without any Old Business, Unfinished Business, or 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 Commissioner Ethridge and then proceeding down the bench accordingly. Commissioner Ethridge, Commissioner Simmons, and Chairman Nevil all welcomed the students in the audience. Commissioner Rushing discussed a recent complaint regarding

solid waste removal being in direct competition with private companies. Commissioner Thompson discussed a recent complaint regarding the placement of dirt on private property. Commissioner Gibson had no comment. Chairman Nevil asked for comments from the Staff, and County Manager Thomas Couch stated that Georgia Department of Transportation Commissioner Vance Smith would be visiting the County on November 15th. Mr. Couch also stated that several presentations would be added to the November 16th meeting Agenda. Next, Clerk of the Board Maggie Fitzgerald reminded the Board about the upcoming Middle Coastal Unified Development Authority Meeting on November 11th.

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 must close the meeting, enter into Executive Session to discuss Personnel Matters, and then recess. Chairman Nevil stated that at the conclusion of the Executive Session, which was expected to last about ten minutes, the Board would recess and then reconvene for the Planning and Zoning Agenda. Chairman Nevil called for a motion to adjourn into Executive Session in accordance with the provisions of O.C.G.A. 50-14-3 and other applicable laws, pursuant to the advice of the Chief Corporate Counsel, Jeff Akins, for the purposes of deliberating on personnel matters. Without further discussion, Commissioner Simmons offered a motion to enter into Executive Session to discuss personnel matters (See Exhibit #2010-184). Commissioner Mosley seconded the motion, and it carried unanimously. Commissioner Ethridge, Commissioner Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson 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 for any modifications before the approval of the Zoning and Land Use Agenda. Hearing none, Commissioner Mosley offered a motion to approve the Zoning and Land Use Agenda as presented. Commissioner Simmons seconded the motion, and it carried unanimously. 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 Kevin Deal requesting a modification to conditions on a rezone that was approved by the Board of Commissioners on June 1, 2010, stating that if any of the uses of the property should change or expand, the applicant would be required to apply for a modification of the zoning conditions. Mr. Newman stated that Mr. Deal is requesting the modification in order to operate a bakery in the existing building. Mr. Newman stated that the property consists of 5 acres and is located on Highway 67, tax map #111 000011 000. The Planning and Zoning Commission and Staff voted to approve the request. Mr. Newman stated that Mr. Deal was not present, and that no one signed up to speak regarding the request. Mr. Newman and Mr. Couch discussed some issues regarding the property. Commissioner Thompson offered a motion to table the request until the first Board meeting in December in order for the Staff to review the current zoning issues with Mr. Deal. Commissioner Rushing seconded the motion, and it carried unanimously.

Zoning Administrator Randy Newman presented Item #2 which was an application submitted by Dennis Rhodes requesting a rezone of 4.41 acres out of a 9.5 acre tract from Residential 25,000 (R-25) to Neighborhood Commercial (NC) and a conditional use to operate a Garden/Nursery Center on the property. Mr. Newman stated that the property is located on Coley Boyd Road, tax map #061 000013 001. The Planning and Zoning Commission and Staff recommended the approval of the rezone request and the conditional use with conditions. Acting as Agent, John Dotson stated that Mr. Rhodes agreed with the proposed conditions, but asked that the Board allow him to only build one driveway first. Mr. Newman stated that two people signed up to speak in favor of the request, but neither came forward to speak. Without further discussion, Commissioner Thompson offered a motion to approve Mr. Dennis Rhodes' request for a rezone of 4.41 acres out of a 9.5 acre tract from Residential 25,000 (R-25) to Neighborhood Commercial (NC) and a conditional use to operate a Garden/Nursery Center on the property with the conditions set forth in Exhibit #2010-185. Commissioner Simmons seconded the motion, and it carried unanimously.

Zoning Administrator Randy Newman presented Item #3 which was an application submitted by James Clint Smith requesting a rezone from Agriculture 5 acres

(AG-5) to Neighborhood Commercial (NC) and a conditional use for a gasoline station with a convenience store. Mr. Newman stated that the property consists of 6.42 acres and is located on Westside Road, tax map #045 000006 000. The Planning and Zoning Commission recommended approval with conditions and the Staff recommended the denial of the request, but if approved the conditions should be applied. Mr. Smith stated that several neighbors have requested a store in the area, and that Wesley Parker completed a traffic study that revealed about 700 to 900 cars travel through the area per day. After further discussion and with no one signed up to speak regarding the matter, Commissioner Thompson offered a motion to approve Mr. Smith's request for a rezone from Agriculture 5 acres (AG-5) to Neighborhood Commercial (NC) and a conditional use for a gasoline station with a convenience store with the conditions set forth in Exhibit #2010-186. Commissioner Rushing seconded the motion, and it carried unanimously.

Zoning Administrator Randy Newman presented Item #4 which was an application submitted by Robert B. Brannen requesting a conditional use to install a telecommunications facility for Alltel Communications, Inc. Mr. Newman stated that the tower will be located on .233 acres of an 189 acre tract and is located on Parrish Road, tax map #046 000018 000. The Planning and Zoning Commission and the Staff recommended approval of the conditional use request. Acting as agent, Mr. Kevin Wiles, a representative of Site Development Services, Inc., stated that the tower is ready to be placed and hoped the project could be finished by the first of the year. Without further discussion, Commissioner Ethridge offered a motion to approve Robert B. Brannen's request for a conditional use to install a telecommunications facility for Alltel Communications, Inc. Commissioner Simmons seconded the motion, and it carried unanimously.

Sign-in sheets for Zoning Matters are shown in Exhibit #2010-187.

Chairman Nevil asked if there were any further comments from the Commission or Staff. Hearing no further comments from the Board or Staff, Chairman Nevil asked for a motion to adjourn. Commissioner Simmons 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