

November 3, 2009
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 offered a moment of silence in honor of past Sheriff Arnold Ray Akins, who passed away on October 24th, and then 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 Tankersley, Commissioner Simmons, Commissioner Jackson, 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, Transportation Director Eddie Smith, Planning and Zoning Development Director Andy Welch, and Deputy Clerk of the Board Christy Strickland.

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 address the Board, and presented the following modifications to the General Agenda: (1) To add Item #5 under the New Business Agenda for the discussion and/or action to approve the lowest and most advantageous proposal for the 2009 Master Lease-Purchase Program for Public Safety Equipment; (2) To grant the County Manager ten minutes during Commissioner and Staff Comments to provide a financial summary for the first quarter of FY 2010; and (3) To add an Executive Session after Commissioner and Staff Comments to discuss future Real Estate Acquisition. Without hearing any further amendments or modifications to the General Agenda, Commissioner Tankersley offered a motion to approve the General Agenda as amended. Commissioner Jackson seconded the motion, and it carried unanimously.

The next item of business was the approval of the Minutes for the Regular Meeting, Executive Session, and Workshop held on October 20, 2009. Without hearing any corrections or modifications, Commissioner Gibson offered a motion to approve the

minutes of the meeting as presented. Commissioner Thompson seconded the motion, and it carried unanimously. Commissioner Thompson asked to address the Board, and pointed out several spelling errors on the Chamber of Commerce's November Calendar that was included in the Agenda Packet.

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 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 (See Exhibit #2009-136). Mrs. Burdett stated that Bulloch County would receive \$1,171,127.00 for tax relief for 2009, and presented Chairman Nevil with the check. After taking a picture with Mrs. Burdett, Chairman Nevil thanked Mrs. Burdett for her presentation.

The next item on the Agenda was the duly advertised Public Hearing for the proposed abandonment of County Road 1816, also known as Backwood Road. The Public Notice, as advertised in the County's Legal Organ, is shown as Exhibit # 2009-137. Chairman Nevil called for a motion to open the Public Hearing to consider the abandonment of County Road 1816, also known as Backwood Road, pursuant to O.C.G.A. §32-7-2. Commissioner Gibson offered a motion to open the Public Hearing to consider the abandonment of County Road 1816, also known as Backwood Road. Commissioner Jackson seconded the motion, and it carried unanimously. With the Public Hearing open, Chairman Nevil yielded the floor to Mr. Couch. Mr. Couch stated that the purpose of the Public Hearing is to gather input to determine if Backwood Road has ceased to be used by the public to the extent that no substantial public purpose is served by it. Chairman Nevil asked for public comments concerning the proposal to abandon

the road. Without hearing any comments from the public, Staff Attorney Jeff Akins stated that only one property owner owns property along the road, and that property owner was contacted regarding the Public Hearing. Transportation Director Eddie Smith stated the road does not serve a substantial public purpose and that the postal service does not even use the road and there are not many residences in the area. Without further comment Chairman Nevil asked for a motion to close the public hearing. Commissioner Tankersley made a motion to close the public hearing, Commissioner Simmons seconded and the motion and it carried unanimously.

The next item on the Agenda was to approve the Consent Agenda as presented (1) To Authorize the County Manager to execute a lease renewal with the United States Department of Agriculture for Space at the Agribusiness Center (See Exhibit 2009-138); (2) To Authorize the appointment of Dr. Thad Riley to the Pineland Community Service Board; (3) To Authorize the Chairman of the Board to enter into a memorandum of agreement with the Federal Government with regard to compliance with immigration status for those individuals applying for and receiving public benefits through Bulloch County (See Exhibit 2009-139); (4) To Authorize the County Manager to execute a Waste Service Agreement with Briggs and Stratton on behalf of the Environmental Management Department (See Exhibit 2009-140). 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.

With no items of Old or Unfinished Business, Chairman Nevil stated the first item of New Business was the discussion and/or action to adopt a Resolution authorizing a property exchange with the Statesboro Kiwanis Club. Chairman Nevil called on County Manager Thomas Couch to initiate discussion regarding this matter. Mr. Couch stated the County has been working toward consummating an exchange of a 1.148 acre parcel at the Kiwanis Fairgrounds on which the livestock building is situated for a 1.75 acre tract of property belonging to the Kiwanis Club. The exchange will allow for the Kiwanis Club to end up with the title to the livestock building tract, and the County will have title to the vacant 1.75 acre tract fronting on Highway 67. The State of Georgia has executed the deeds necessary for this matter to move forward. Mr. Couch recommended moving forward with the resolution. County Attorney Jeff Akins explained the County will have

a deed with a reversion clause in favor of the State of Georgia if the 1.75 acre tract ever ceases to be used for a public purpose. With no further discussion, Commissioner Tankersley made a motion to approve the resolution as presented. Commissioner Thompson seconded the motion, and it carried unanimously. (See Exhibit 2009-141).

The second item under new business was for discussion and/or action to adopt a resolution to abandon County Road number 1816 also known as Backwood Road. Chairman Nevil called on County Manager Thomas County to initiate discussion on this item. Mr. Couch explained the details had been presented earlier in the public hearing. With no further discussion, Commissioner Thompson offered a motion to approve the resolution as presented. Commissioner Gibson seconded the motion, and it carried unanimously. (See Exhibit 2009-142).

The third item under new business was for discussion and/or action to authorize an application for funding from the Georgia Environmental Facilities Authority for an Energy Efficiency Conservation Block Grant appropriated by the American Recovery and Reinvestment Act of 2009. Chairman Nevil called on County Manager Thomas County to initiate discussion on this item. Mr. Couch explained they are proposing two requests. The first is to authorize staff to submit an application for grant funds and also enter into an agreement with W.K. Dickson Engineering Firm who is one of the few firms in Georgia that participate in Grant Administration projects. Mr. Couch explained the grant deadline date is November 17, 2009 and Georgia Environmental Facilities Authority (GEFA) called for all grant proposals which could be funded up to \$300,000. Mr. Couch stated there are 2007 SPLOST Funds under Community Service Facilities in the amount \$200,000 to spend to do an energy efficient retro in select buildings throughout the county. The objective is to save up to 15% cost savings in utilities. Mr. Couch stated the County would be applying for the \$300,000 grant but will not have an exact figure until W.K. Dickson Engineering gives the final proposal, but it is expected to be between \$150,000 to \$250,000 to be spent on procuring through the grant an engineering auditing firm who would come in and do a comprehensive audit on all of the County's buildings and give the County an evaluation on what it would take to bring the buildings up to energy retro fix and come up with a Capital Improvement program using the money allocated for the 2007 SPLOST funds. Mr. Couch said that after speaking with

W.K. Dickson Engineering and County Staff that there may be funds left to apply to the projects. He explained there would be no cost to Bulloch County for grant preparation by W.K. Dickson as the consultant because there is administration money available within the grant to pay the engineering firm for their services. Without further discussion Commissioner Jackson offered a motion to approve the application to GEFA for an ARRA (Stimulus) Energy Efficiency Conservation Block Grant. Commissioner Simmons seconded the motion, and it carried unanimously.

The fourth item under New Business was for discussion and/or action to set terms for the members of the Bulloch County Board of Elections and Registration. Chairman Nevil called on County Manager Thomas County to initiate discussion on this item. Mr. Couch stated at the last meeting JD Dunn, Wendy Denton, and Theresa Jackson were appointed to the Bulloch County Board of Elections and Registration. He stated that one of the appointments requires a two-year term, while the remaining appointments require four-year terms. After these initial terms successive appointments will be for four-year terms. Commissioner Jackson stated to Chairman Nevil he would be abstain from voting due to being related to Theresa Jackson. Commissioner Thompson offered a motion to appoint JD Dunn and Theresa Jackson to four-year terms and Wendy Denton to the two year-terms. Commissioner Gibson seconded the motion, and it carried unanimously.

The fifth and final item under new business was for discussion and/or action to authorize the County Manager to further negotiate a lease-purchase agreement for previously approved Public Safety Equipment based on the staff recommendation for the lowest and most advantageous proposal by SunTrust Equipment Leasing of Atlanta, Georgia. Chairman Nevil called on County Manager Thomas County to initiate discussion on this item. Mr. Couch explained the lease purchase agreement would be secured financing for the three EMS Ambulances and new Auxiliary equipment for the 911 Center. He stated he recommends the three-year lease to be awarded to SunTrust in the amount of \$489,275 with a 2.935% rate. Mr. Couch stated he would be back before the Board with an agreement and resolution for formal approval. Commissioner Simmons offered a motion to authorize proceeding with the lease-purchase agreement as stated. Commissioner Gibson seconded the motion, and it carried unanimously.

Chairman Nevil stated that before granting time for Board and Staff Comments he was going to allow ten minutes and yield the floor to County Manager Thomas Couch to give a brief first quarter of FY 2010 financial report. Mr. Couch stated first he wanted to give a few reminders. He said Eddie Smith wanted the Board to know that on November 17, 2009 at 1:00 P.M. an asphalt vendor would be here demonstrating. There will be a lunch instead of a dinner with Dr. Grube. There is an Infrastructure Bank Meeting in Atlanta. Mr. Couch explained when the County adopted the resolution in March 2008 to transfer the property for the Georgia State Patrol Post building to them there was a reversion clause in the resolution. The State has since advised that it no longer accepts reversion clauses. After some further discussion, Mr. Akins advised that he would be prepared to discuss this matter further at the next Commissioners' meeting. Mr. Couch presented the quarterly FY 2010 financial report.

Chairman Nevil then asked for additional comments from the Staff or Board. County Clerk Maggie Fitzgerald stated the World War II room is under construction and has several people involved in helping update it, and she hopes it will be ready by Memorial Day 2010. She also stated there is a list of events in front of their packets, and if anybody wants to attend to let her know. Commissioner Rushing commented that there is an unnamed recycling center in Liberty County and he would like us to look into Bulloch County having one.

After no further comments from the Board, Chairman Nevil stated the Board must close the meeting to enter into Executive Session to discuss future Real Estate Acquisitions 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. 50-14-2 and 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 Real Estate Acquisition (See Exhibit #2009-142). Without further discussion, Commissioner Tankersley offered a motion to enter into Executive Session to discuss Real Estate Acquisition. Commissioner Simmons seconded the motion, and it carried unanimously. Commissioner Simmons, Commissioner Jackson,

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. Commissioner Simmons seconded the motion, and it carried unanimously.

J. Garrett Nevil, Chairman

Attest: Christy Strickland, Deputy Clerk