

October 5, 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. Chairman Garrett 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 Rushing, Commissioner Ethridge, Commissioner Simmons, and Commissioner Thompson. The following staff were present: County Manager Thomas Couch, Staff Attorney Jeff Akins, Development Services Director Andy Welch, Statesboro Bulloch County Parks and Recreation Director Mike Rollins, 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 address the Board, and requested that the following amendments be made to the General Agenda: (1) To add Item #2 to the New Business Agenda for the discussion and/or action to consider the conveyance of land to the Hospital Authority of Bulloch County and (2) To add an Executive Session after Commission and Staff Comments for the purpose of discussion of potential real estate acquisition. Hearing no further amendments or modifications, Commissioner Simmons offered a motion to approve the General Agenda as amended. Commissioner Ethridge 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 September 21, 2010. Chairman Nevil called for corrections or modifications to the Minutes. Without hearing any corrections or modifications, Commissioner Simmons 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

comments from the public, Chairman Nevil moved forward to the next item on the Agenda

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 an amendment to the Employee Health Care Plan Agreement (See Exhibit #2010-169) and (2) To accept the Staff recommendation to authorize the County Manager to execute an agreement with Ellis Wood Contracting for the construction of the S&S Greenway based on the unit price costs for quantities (See Exhibit #2010-170). Without discussion, Commissioner Simmons offered a motion to approve the Consent Agenda as presented. Commissioner Rushing seconded the motion, and it carried unanimously.

Without any Old or Unfinished Business, Chairman Nevil stated that the first item of New Business was the discussion and/or action to grant an Alcoholic Beverage License for Package Retail Beer and Wine Sales to Samir Patel at 301 Food & Gas at 17899 U.S. Highway 301 North, Statesboro, Georgia, in Unincorporated Bulloch County. Chairman Nevil called on Clerk of the Board Maggie Fitzgerald to initiate the discussion regarding the matter, and Ms. Fitzgerald reviewed Mr. Patel's criminal history and recommended the approval of the application. Without discussion, Commissioner Ethridge offered a motion to grant an Alcoholic Beverage License for Package Retail Beer and Wine Sales to Samir Patel at 301 Food & Gas at 17899 U.S. Highway 301 North, Statesboro, Georgia, in Unincorporated Bulloch County. Commissioner Simmons seconded the motion, and it carried unanimously.

Chairman Nevil stated that the second item of New Business was the discussion and/or action to dispense with the reading and adopt Resolution #2010-25 authorizing the conveyance of 0.96 acres of land to the Hospital Authority of Bulloch County. Chairman Nevil called on County Manager Thomas Couch to initiate the discussion regarding the matter, and Mr. Couch stated that the resolution authorizes the conveyance of 0.96 acres to the Hospital Authority on the condition that the Hospital Authority conveys the property to Ogeechee Area Hospice, Inc., subject to certain terms and conditions. Mr. Couch stated that the property is adjacent to Hospice's current facility and will allow for the expansion of that facility. Without discussion, Commissioner Thompson offered a motion to approve Resolution #2010-25 authorizing the conveyance of 0.96 acres of land

to the Hospital Authority of Bulloch County (See Exhibit #2010-171). Commissioner Rushing seconded the motion, and it carried unanimously.

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. There were no comments from Commissioner Ethridge, Commissioner Simmons, Commissioner Rushing, and Commissioner Thompson. Chairman Nevil informed the Board of a District meeting for ACCG and a ribbon cutting. Chairman Nevil asked for comments from the Staff, and County Manager Thomas Couch reminded the Board of the upcoming Department Head meeting and introduced Trey Wingate from WK Dickson who has been working on the Energy Efficiency Block Grant.

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, recess, and then enter into Executive Session to discuss potential real estate Acquisition. Chairman Nevil stated that at the conclusion of the Executive Session, which was expected to last about ten minutes, the Board would 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 County Attorney Charles Brown and the Chief Corporate Counsel Jeff Akins for the purposes of deliberating on potential real estate acquisition. Without further discussion, Commissioner Simmons offered a motion to recess and then enter into Executive Session to discuss potential real estate acquisition (See Exhibit #2010-172). Commissioner Ethridge seconded the motion, and it carried unanimously. Commissioner Ethridge, Commissioner Simmons, Commissioner Rushing, and Commissioner Thompson voted in favor of the motion.

The meeting was reconvened, and Chairman Nevil stated that the Board had one item of business for discussion and/or action for the Regular Meeting. Chairman Nevil called for a motion to approve a resolution related to the acquisition of property that was presented in Executive Session. Without discussion, Commissioner Thompson offered a

motion to approve the resolution (See Exhibit A in the Executive Session Minutes). Commissioner Simmons seconded the motion, and it carried unanimously.

Without any further matters for the Regular Meeting, Chairman Nevil moved forward to the Public Hearings regarding Zoning and Land Use matters. 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 Ethridge offered a motion to approve the Zoning and Land Use Agenda as presented. Commissioner Rushing seconded the motion, and it carried unanimously. Chairman Nevil asked Zoning Administrator Randy Newman to present the two items of business.

Zoning Administrator Randy Newman presented Item #1 which was an application submitted by Carol Rock-Bellinger requesting a conditional use in order to have a facility that will host private or public functions in an existing building. Mr. Newman stated that this application was tabled from the September 7th meeting due to issues regarding Club Road, but that Mr. Robert Lee had failed to contact the County regarding his petition to close a section of Club Road. Mr. Newman stated that the property consists of 6.54 acres and is located on Club Road, tax map #120B 000004 000. The Planning and Zoning Commission voted to approve the request with conditions and the Staff recommended denial of the request, but if approved, the Staff recommended thirteen conditions that would need to be applied. Acting as Agent, Mr. George Bellinger asked the Board to approve his request. Mr. Newman stated that no one signed up to speak regarding the conditional use request. Without discussion, Commissioner Simmons offered a motion to approve Mrs. Carol Rock-Bellinger's Conditional Use Request with the conditions set forth in Exhibit #2010-173. Commissioner Rushing seconded the motion, and it carried unanimously.

Zoning Administrator Randy Newman presented Item #2 which was an application submitted by R.E. Stubbs requesting a rezone from Residential 80,000 square feet (R-80) to Highway Commercial (HC) and two conditional uses to operate an existing Junkyard and for General Business to operate a title pawn shop. Mr. Newman stated that the property consists of 24.38 acres and is located off U.S. Highway 301 South, tax map #MS34 000003 000. The Planning and Zoning Commission and Staff recommended the

approval of the request with conditions. Acting as Agent, Mrs. Terri Grant stated that her father has ALS and would like to get his affairs in order, and that the property needs to be rezoned for the business that has been in working order for over twenty years. Mr. Newman stated no one signed up to speak regarding the rezone request and two conditional use requests. Without discussion, Commissioner Thompson offered a motion to approve Mr. R.E. Stubbs' rezone request with the conditions set forth in Exhibit #2010-174. Commissioner Ethridge seconded the motion, and it carried unanimously. Commissioner Rushing offered a motion to approve the conditional use request for Mr. R.E. Stubbs to operate an existing Junkyard on the property. Commissioner Simmons seconded the motion, and it carried unanimously. Commissioner Thompson offered a motion to approve the conditional use request for General Business for Mr. R.E. Stubbs to operate a title pawn shop. Commissioner Rushing seconded the motion, and it carried unanimously.

Sign-in sheets for Zoning Matters are shown in Exhibit #2010-175.

Chairman Nevil asked if there were any comments from the Commission or Staff. Hearing no comments from the Board or Staff, Chairman Nevil called for a motion to adjourn. Commissioner Simmons offered a motion to adjourn. Commissioner Rushing seconded the motion, and it carried unanimously.

J. Garrett Nevil, Chairman

Attest: Maggie Fitzgerald, Clerk of the Board