

October 6, 2008  
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. County Manager Thomas Couch 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, Commissioner Tankersley, Commissioner Jackson, Commissioner Rushing, Commissioner Gibson and Commissioner Thompson. The following staff were present: County Manager Thomas Couch, Staff Attorney Jeff Akins, County Planner Andy Welch, Financial Director Harry Starling, Director of Statesboro Bulloch County Parks Recreation Mike Rollins, Airport Manager Jeff Herrington, and Zoning Administrator Randy Newman.

Chairman Nevil asked for changes or modifications of the General Agenda. County Manager Thomas Couch asked to modify the general agenda as follows: (1) To reclassify from New Business to Old Business, the item regarding the Discussion and/or Action for a Right-of-Way for Key-Akins Road and (2) To add to the Consent Agenda the Authorization of a Bid for a conveyor at the Recycling Processing Center. Commissioner Tankersley offered a motion to approve the General Agenda with modifications. Commissioner Jackson seconded the motion, and it carried unanimously.

The next item of business was the approval of the minutes for the Regular Meeting held on September 16, 2008, and the Workshop held on September 16, 2008. Commissioner Gibson offered a motion to approve the minutes of the meeting as written. Commissioner Rushing seconded the motion, and it carried unanimously.

Chairman Nevil asked for public comments from the audience at large or in writing. There were no comments and no petitions received in writing.

Mike Rollins, the Statesboro Bulloch County Parks and Recreation Director, gave a presentation regarding the Department's proposal for a new Master Plan and gave a progress report on proposed boat landing improvements.

After the presentations, County Manager Thomas Couch asked the Commissioners, in the interest of time relevant to the pending zoning hearings to be held later in the evening, modify the general agenda. Mr. Couch recommended that after the Consent Agenda, the Commission would recess and then enter into the Zoning & Land Use meeting, which was scheduled for 6:30 p.m. Mr. Couch stated that the Regular Meeting could resume once the Zoning meeting adjourned. Commissioner Gibson made a motion to modify the general agenda. Commissioner Tankersley seconded the motion, and it carried unanimously.

The next item on the agenda was to approve the Consent Agenda as presented with one modification: (1) To Authorize the County Manager to Execute a Purchase Order based on a sole source procurement proposal from Lose and Associates of Nashville, Tennessee, for the preparation of a Recreation Master Plan Update with proceeds to be appropriated from SPLOST/CIP Project #PR-09-06 (See Exhibit #2008-125); (2) To Authorize the County Manager to Execute a Purchase Order based on a sole source procurement proposal from United Agri-Products of Monticello, Arkansas, for Aerial Herbicide spraying at the Statesboro Bulloch County Airport for \$96.00 an acre with proceeds to be appropriated from the Airport's Operating Budget; and (3) To Authorize the County Manager to Execute a Purchase Order, for \$296,807.75, based on the lowest and most advantageous bid from Criegler Enterprises of Mableton, Georgia, for Conveyors to be installed at the County Recycling Processing Center with proceeds to be appropriated from SPLOST/CIP Project #SW-09-2. Chairman Nevil asked for any discussion of the Consent Agenda. Commissioner Tankersley offered a motion to approve the Consent Agenda with the addition of item #3. Commissioner Jackson seconded the motion, and it carried with a vote of 4 to 1. Commissioner Tankersley, Commissioner Jackson, Commissioner Rushing, and Commissioner Thompson voted in favor of the motion. Commissioner Gibson voted against the motion.

Chairman Nevil asked for a motion to recess. Commissioner Jackson made a motion to recess for ten minutes, and then enter into the Zoning and Land Use meeting. Commissioner Rushing seconded the motion, and it carried unanimously.

The meeting was reconvened for the Public Hearings regarding Zoning and Land Use matters. Chairman Nevil asked for any modifications before approval of

the Zoning and Land Use Agenda. With no modifications of the Zoning and Land Use Agenda, Commissioner Tankersley offered a motion to approve the Zoning and Land Use Agenda. Commissioner Jackson seconded the motion, and it carried unanimously. Chairman Nevil asked Zoning Administrator Randy Newman to present the four zoning items.

Zoning Administrator Randy Newman presented an application submitted by John J. and Desmarie S. Hatem requesting a conditional use to operate a Family Personal Care Home. The property consists of 0.77 acres and is located on North Jackson Road in Grove Lakes Subdivision. The Zoning Commission recommended the denial of the request. Mrs. Desmarie Hatem stated that she planned to open a Family Personal Care Home with one to two individuals, but not to exceed three, residing in the other two bedrooms in her home. Mrs. Hatem handed the Commissioners a signed petition from her neighbors regarding the Family Personal Care Home (See Exhibit #2008-126). Mrs. Hatem also stated that the conditional use was required in order for her to obtain a state license for a Family Personal Care Home.

Mr. Newman stated that only one person signed up to speak against the request. Mr. James Bigley stated that the Conditional Use would remain with property even if Mrs. Hatem decided to sell the property. Mr. Bigley stated that he was concerned that the Conditional Use would lower his property values, and asked that the Commissioners follow the recommendation of the Zoning Commission. Commissioner Tankersley made a motion to deny the Conditional Use request. Commissioner Gibson seconded the motion, and it carried unanimously.

Mr. Newman presented an application submitted by Melvin Andrew and Rhonda S. Rushing requesting a conditional use to operate a day care facility. The property consists of 0.56 acres and is located on Highway 67. The Zoning Commission recommended the approval of the conditional use request with the following conditions: Prior to a certificate of occupancy being approved: (1)**Sign.** One unified multi-tenant ground sign consistent with the architectural design of the principal structure with a landscaped base, and one separate wall or façade sign for each business will be permitted. (2) **Access.** All access, driveway and parking areas serving the general public shall be paved and observed parking and loading standards in the zoning ordinance.

Mrs. Rhonda Rushing explained the need for the new building for her day care. Mr. Newman stated that no one signed up to speak against the request. Commissioner Thompson made a motion to approve the Conditional Use request with the conditions listed. Commissioner Tankersley seconded the motion, and it carried unanimously.

Mr. Newman presented an application submitted by Tamara Nichols requesting a conditional use to operate a private airport. The property consists of 208 acres and is located on Dean Nichols Road. Mr. Swain Nichols is acting as agent. The Zoning Commission recommended the approval of the conditional use request with the following conditions: (1) The airstrip is limited to non-commercial traffic that has the owner's permission to use the airstrip. (2) The project must meet any federal or state aviation laws or regulations as a private landing strip or airport, as applicable. (3) The number of aircraft shall be limited to the number of hangars proposed on the site plans (twenty: 20). (4) All Radio communication towers must be in compliance with the county zoning code. (5) Outside storage of materials or cargo is prohibited. (6) Tenants would be required to bring fuel or refuel planes at a commercial airport; fuel dispensing or storage would not be permitted on the property. (7) Occupancy space for management operations of the airport are confined and shall be subject to home occupation standards of the county zoning ordinance. (8) Any structures constructed on the property would require a building permit and would have to be built to current building codes. (9) Airstrip would be for recreational aviation only. No commercial flying (pay per flight) would be permitted. (10) Signage shall be limited to one (1) ground sign with a landscaped base, or a wall sign meeting county code. (11) All commercial solid waste containers shall be placed on a concrete pad and shielded from view with fencing or landscaping equal to the height of the container. (12) Before any building permits are approved, a screening buffer shall be required having dense natural plantings approved by the Zoning Administrator with minimum installation height of six (6') feet along the Brack and Haggins side yard lot lines.

Mr. Swain Nichols stated that he wanted to strike the Haggins property from Condition #12, and that he did have approval from Brack and Haggins property owners. Mr. Nichols explained why he wanted to start a private airport and he answered several questions from the County Manager and the Commissioners. Mr. Newman stated that no

one signed up to speak against the request. Commissioner Thompson made a motion to approve the Conditional Use request with the conditions listed, but excluding the Haggins property from item #12. Commissioner Rushing seconded the motion, and it carried unanimously.

The last item on the Zoning Agenda was a text amendment to the Zoning Ordinance for Section 26.13 regarding Global Positioning Satellite Service Tower for Agricultural Purposes. The Zoning Commission recommended the approval of the text amendment. County Planner, Andy Welch, introduced John Brett from AG Technologies, LLC, who gave a presentation regarding the towers used for the Global Positioning Satellite Service. Commissioner Rushing made a motion to approve the text amendment to the Zoning Ordinance. Commissioner Thompson seconded the motion, and it carried unanimously. (See Exhibit #2008-127) Sign-in sheets for zoning matters are shown in Exhibit #2008-128.

Chairman Nevil closed the Zoning Meeting and with no New Business on the Agenda, next item on the agenda was one item of Old Business. The only item of Old Business was the discussion and/or action to consider a right-of-way agreement for future road improvements on Key-Akins Road. County Staff Attorney Jeff Akins stated that the paragraph number three was the only change in the agreement, and this right-of-way agreement will give the county the option to pave Key-Akins road in the future because there are no time limits stated in the agreement. Commissioner Tankersley made a motion to approve the right-of-way agreement for Key-Akins Road. Commissioner Jackson seconded the motion, and it carried unanimously. (See Exhibit #2008-129)

Chairman Nevil asked if there were any comments from the staff or board. County Manager Thomas Couch asked to address the Board regarding the following items: (1) Reminded the Commissioners about the Employee Picnic at Mill Creek. (2) The RDC Position will be moving out of the office in the Agri-Business center back to Brunswick because of State budget cuts. (3) \$44,000 was left in the SunTrust Master Lease Escrow Account, which Mr. Couch Authorized the remaining amounts to be spent for Election Equipment and a 15 seat Passenger Van for the Recreation Department. (4) Each Department Director has been instructed to create a 3% Contingency cut back plan in case the economy continues to deteriorate. (5) Scheduling a workshop for the next

meeting to discuss the future of the Agri-Business Center. (6) Asked the Commissioners to pick up a copy of the Subdivision Ordinances and the Storm Water Regulations from the County Manager's Office.

Commissioner Thompson stated that he would like EMS Director, Lee Eckles, to make a presentation at the next meeting regarding the possibility of an EMS substation in Brooklet.

Chairman Nevil asked if there were any other comments from the staff or board. Hearing none, Commissioner Tankersley offered a motion to adjourn the Regular meeting, and enter into an Executive Session regarding a personnel matter. Commissioner Rushing seconded the motion, and it carried unanimously. Commissioner Tankersley, Commissioner Jackson, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voted in favor of the motion. (See exhibit #2008-130)

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J. Garrett Nevil, Chairman

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Attest: Maggie Fitzgerald, Clerk of the Board