

October 6, 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. Commissioner George Jackson 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 Jackson, 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, Public Safety, Zoning Administrator Randy Newman, Keep Bulloch Beautiful Executive Director Jenna Lawson, County Attorney Charles Brown, County Engineer Kirk Tatum, and Planning and Zoning Development Director Andy Welch.

After Roll Call, the first item of business was the approval of the General Agenda. Chairman Nevil asked for amendments or modifications for the General Agenda. County Manager Thomas Couch requested to modify the agenda by: (1) Adding Item #2 under the New Business Agenda for the discussion and/or action to consider the lowest and most responsive proposal for a Non-Tax Exempt Line of Credit with Heritage Bank for Tax Anticipation Financing and (2) to add five additional minutes after the Zoning Agenda to discuss Old Business regarding ambulance purchase and financing. Without hearing any further amendments or modifications, Commissioner Simmons offered a motion to approve the General Agenda with the two modifications as requested by the County Manager. Commissioner Jackson 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 held on September 15, 2009. Without hearing any corrections or modifications, Commissioner Simmons offered a motion to approve the minutes of the meetings as presented. Commissioner Jackson 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 stated there were no formal requests or petitions received in writing. Hearing no public comments, Chairman Nevil moved on to the scheduled Presentation.

The next item on the Agenda was a Presentation from Mrs. Jenna Lawson, Executive Director of Keep Bulloch Beautiful, regarding a state-wide recycling campaign. Mrs. Lawson explained the "I don't recycle" campaign, handed out promotional materials, and asked the Board to support the campaign. Next, Mrs. Lawson discussed three amendments to the Keep Bulloch Beautiful By-Laws, and asked the Board to make a motion to approve the amendments (See Exhibit #2009-126). Without any discussion, Commissioner Thompson offered a motion to approve the proposed amendments to the Keep Bulloch Beautiful By-Laws.

The next item on the Agenda was to approve the Consent Agenda as presented: (1) To authorize the County Manager to execute an amendment to the Employee Group Health Insurance Plan (See Exhibit #2009-127); (2) To authorize the Chairman of the Board to accept a Right-of-Way acceptance deed for Brannen Lake Road (See Exhibit #2009-128); and (3) To authorize the County Manager to execute and Amendment to the agreement for frequency reconfiguration with Sprint-Nextel (See Exhibit #2009-129). Without discussion from the Board, Commissioner Jackson offered a motion to approve the Consent Agenda as presented. Commissioner Simmons seconded the motion, and it carried unanimously.

With the first item on New Business executed during Mrs. Lawson's presentation, Chairman Nevil moved on to Commission and Staff Comments. Commissioner Rushing addressed the Board concerning the most recent vehicle fatality at the intersection of Highway 301 and Highway 46, and stated that the intersection is one of the most dangerous in Bulloch County. The Board and Staff discussed the possible funding to purchase and install traffic signals at the intersection. After further discussion, Commissioner Rushing offered a motion to authorize the Staff to create a Resolution to send to Senator Jack Hill and the District Representatives to urge the Georgia Department of Transportation to install traffic signals at the intersection of Highway 301 and Highway 45. Commissioner Thompson seconded the motion, and it carried unanimously.

Continuing with Commission and Staff Comments, County Manager Thomas Couch asked to address the Board, and updated the Board about the County's finances. Mr. Couch also discussed the possibility of hosting a meeting with Candler County, City of Metter, and the Municipalities of Bulloch County in order to meet with the State Legislators at the end of October or November. Planning and Development Director Andy Welch asked to address the Board, and informed the Board about an Open House that would be held on October 15th to discuss the Federal Emergency Management Agency's (FEMA) enhanced Digital Flood Insurance Rate Map (DFIRM) and Flood Insurance Study (FIS) for Bulloch County. Chairman Nevil addressed the Board, and asked Commissioner Gibson to act as the voting delegate for the Board at the ACCG Fall Policy Conference. Commissioner Gibson agreed to act as the voting delegate. Without hearing any further comments, Chairman Nevil moved forward to the next item on the Agenda.

Mr. Couch asked to address the Board, and stated that the first item of New Business was executed during the Presentation, and that the second item of New Business added to the Agenda needed to be executed. Mr. Couch stated that the second item of New Business was the discussion and/or action to approve a Resolution authorizing the issuance and sale of a Tax Anticipation Note (TAN) for the Calendar Year 2009 evidencing a Line of Credit in the aggregate amount of \$4,000,000.00 with The Heritage Bank (See Exhibit #2009-130). Without discussion, Commissioner Jackson offered a motion to approve a Resolution authorizing the issuance and sale of a Tax Anticipation Note (TAN) for the Calendar Year 2009 evidencing a Line of Credit in the aggregate amount of \$4,000,000.00 with The Heritage Bank. Commissioner Simmons seconded the motion, and it carried unanimously.

The next item on the Agenda was an Executive Session to discuss Personnel Matters and Real Estate Acquisition. Chairman Nevil stated that with no further business on the Regular Agenda, the Board must close the meeting to discuss some Executive Session items that are pending and that upon conclusion of the Executive Session the Board will take a brief recess and then reconvene at approximately 6:30 p.m. to proceed with the Zoning Agenda. Chairman Nevil called for a motion to adjourn into Executive Session in accordance with the provisions of O.C.G.A. 50-14-2 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 Personnel Matters and Real Estate Acquisition (See Exhibit #2009-131). Without further discussion, Commissioner Thompson offered a motion to enter into Executive Session to discuss Personnel Matters and Real Estate Acquisition. Commissioner Rushing seconded the motion, and it carried unanimously. Commissioner Simmons, Commissioner Jackson, Commissioner Rushing, Commissioner Gibson, and Commissioner Thompson 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 Zoning Administrator Randy Newman to present the four items of business.

Zoning Administrator Randy Newman presented an application submitted by Jerry Enterprises, Inc., requesting a rezone from AG-5 to GC (General Commercial) in order to open a restaurant and store that will sell and serve alcohol. The property consists of 1.63 acres and is located on Kennedy Bridge Road in the New Hope Community, tax map #035A 000021 000. The Planning and Zoning Commission and Staff recommended the denial of the request. Mr. Jerry Washington stated that he wants to open a store and a restaurant to improve the community, and that selling alcohol was not his main concern. Mr. Newman stated that Mary Roberson was the only person signed up to speak. Mrs. Roberson stated that she did not oppose the store and restaurant, but only the sale of alcohol at the location. After further discussion, Commissioner Simmons offered a motion to approve the request with the following condition: (1) No alcoholic beverages to be sold on the premises. Commissioner Gibson seconded the motion, and it carried with a four to one vote. Commissioner Jackson voted against the motion.

For the last item, Zoning Administrator Randy Newman presented an application submitted by the First African Baptist Church requesting to modify a condition placed on a conditional use that was approved by the Board of Commissioners on June 5, 2007. The First African Baptist Church would like to remove the following condition: To facilitate traffic flow on Westside Road and proper spacing for right turns into other adjacent properties, installation of an improved 90 foot right-turn approach taper with a nine-foot offset and lane separation stripe shall be required. The property consists of 11

acres and is located on Westside Road, tax map #MS30 000027 002. The Planning and Zoning Commission and Staff recommended the approval of the request with several conditions. Acting as agent, Mr. Larry Allen stated that he was pleased with the deceleration lane that the Planning and Zoning Commission approved. Mr. Newman stated that vehicles have a clear line of site from both directions because of some bush and tree trimmings that the County facilitated. With no discussion, Commissioner Thompson offered a motion to approve the request to modify a previous condition with the following conditions: (1) The County Engineer shall grant a permit for one commercial driveway designed for two-way operation with the following provisions. (a) The throat width between twenty-four feet (24') and thirty (30') feet, measured at right angle to the centerline of the driveway at the rights-of-way line. (b) The driveway apron shall have a minimum curve radius of twenty-five (25') feet, unless a larger radii is required by the County Engineer. (c) The driveway apron shall have a maximum slope of 10% from the edge of the road pavement to the driveway. (d) To assure an unobstructed sight distance and driveway separation, the applicant will meet with staff and ensure that there will be 500 feet of sight distance from both directions. (e) All driveway pipes/culverts shall be approved by the County Engineer. Commissioner Simmons seconded the motion, and it carried unanimously. Sign-in sheets for Zoning Matters are shown in Exhibit #2009-132.

After the Public Hearings for Planning and Zoning, County Manager Thomas Couch asked to address the Board regarding the procurement of three Ambulances for Bulloch County EMS. Mr. Couch described the type and model ambulance that EMS Director Lee Eckles plans to purchase from Peach State Ambulance for a total of \$440,850.00. Mr. Couch also explained the situation with E-911's recorder that would cost approximately \$40,000.00 to replace. Mr. Couch stated that he would like to proceed with the lease-purchase financing for this Public Safety equipment. Without any questions or comments, Mr. Couch stated that he would proceed with the lease-purchase financing.

Chairman Nevil asked for any further comments or questions from the Board. Hearing none, Commissioner Thompson offered a motion to approve a Resolution that was discussed in Executive Session pertaining to future Real Estate Acquisition. Commissioner Simmons seconded the motion, and it carried unanimously.

The final item of business was to finish the Executive Session, and 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 Personnel Matters and Real Estate Acquisition (See Exhibit #2009-131). Without further discussion, Commissioner Rushing offered a motion to enter into Executive Session to discuss Personnel Matters and Real Estate Acquisition. Commissioner Jackson seconded the motion, and it carried unanimously. Commissioner Simmons, Commissioner Jackson, Commissioner Rushing, Commissioner Gibson, and Commissioner Thompson voted in favor of the motion.

At the conclusion of the Executive Session, Chairman Nevil called for a motion to adjourn. Commissioner Simmons offered a motion to adjourn. Commissioner Jackson seconded the motion, and it carried unanimously.

J. Garrett Nevil, Chairman

Attest: Maggie Fitzgerald, Clerk of the Board