

September 15, 2009
Statesboro, GA

Regular Meeting

The Board of Commissioners met at 8:30 a.m. in the Community Room of the North Main Annex. Chairman Nevil welcomed guests and called the meeting to order. Commissioner Anthony Simmons gave the invocation and the pledge of allegiance.

Mr. Thomas Couch, County Manager, performed the roll call of the commissioners and staff. The following commissioners were present: Chairman Nevil, Commissioner Tankersley, Commissioner Jackson, Commissioner Simmons, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson. The following staff were present: County Manager Thomas Couch, Staff Attorney Jeff Akins, County Attorney Charles Brown, Chief Financial Officer Harry Starling, Transportation Director Eddie Smith, County Engineer Kirk Tatum, Public Safety Director Ted Wynn, Zoning Administrator Randy Newman, Code Enforcement Officer Sidney Alston, and Planning and Zoning Development Director Andy Welch. Mrs. Heather McNeal, Human Resources Director, acted as Recording Secretary for the meeting.

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 and Staff Attorney Jeff Akins requested to amend the agenda by: (1) adding the category Commission and Staff Comments after New Business, allowing ten additional minutes for the purpose of updating the Board about pending and upcoming new business with no action required; (2) adding as Item #3 to the Executive Session Agenda for the future acquisition of real estate; and (3) adding Potential and Pending Litigation to the Executive Session Agenda. Without hearing any further amendments or modifications, Commissioner Simmons offered a motion to approve the General Agenda with the three modifications as requested by the County Manager and Staff Attorney. Commissioner Tankersley 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 1, 2009. Without hearing any corrections or modifications,

Commissioner Gibson offered a motion to approve the minutes of the meeting 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. County Manager Thomas Couch stated there were no formal requests or petitions received in writing. Mr. Steve Cox, of Mockingbird Lane, asked to address the Board, and stated that he is Camp Commander of the Sons of the Confederate Veterans which is a local civic and historical preservation group that is non-profit, non-political, and non-religious. Mr. Cox explained that his organization's recruiting sign was found to be in violation of Bulloch County's Sign Ordinance, and that he was addressing the Board to ask for leniency or a variance for the sign. Chairman Nevil thanked Mr. Cox for bringing his issue to the Board's attention, and stated that the Staff plans to review the Sign Ordinance for possible amendments in the near future. Chairman Nevil asked for any other public comments from the audience at large. Hearing none, Chairman Nevil moved forward to the scheduled Presentation.

Chairman Nevil stated that the Presentation was petitioned by Dr. Don Slater to discuss speed limits. Chairman Nevil called on Dr. Slater to come forward and proceed with his Presentation. Dr. Slater informed the Board about excessive speeding, traffic violations, and littering on Cypress Lake Road. Dr. Slater stated that he was a professional engineer, and that he believes the speed limit should be reduced from 45 miles per hour to 35 miles per hour, littering should be enforced, and truck wheel restrictions should be enforced. Dr. Slater's wife mentioned a car crashing through their fence, and Commissioner Gibson shared a story about people speeding on the road. After further discussion, Commissioner Jackson stated that the Dr. Slater should call the Georgia State Patrol Post on Highway 301 and talk to Supervisor Josh Lamb about the traffic issues on Cypress Lake Road. Chairman Nevil thanked Dr. and Mrs. Slater for their presentation, and moved forward to the next item on the Agenda.

The next item on the Agenda was to approve the Consent Agenda as presented: (1) To authorize the appointment of Phillip Tremble and reappointment of Lonnie Simmons, Charles Stokes, Maurice Hill, and Dr. Bobby Mooney to the Bulloch County Drug and Alcohol Council, and (2) To dispense with the reading and adopt a resolution to dissolve the South Georgia Hospital Authority (See Exhibit #2009-124). Without

discussion from the Board, Commissioner Simmons offered a motion to approve the Consent Agenda as presented. Commissioner Thompson seconded the motion, and it carried unanimously.

With no items of Old or Unfinished Business, Chairman Nevil stated that the only item of New Business was the discussion and/or action to grant five Alcoholic Beverage Licenses for Retail Package Beer and Wine to Mrs. Casey Awad and Mr. Richard Millard for CJ's Hot Stop #3, Snack Barrel #4, Snack Barrel #5, Snack Barrel #7, and Snack Barrel #8. Chairman Nevil called on County Manager Thomas Couch to initiate the discussion regarding the matter, and Mr. Couch explained that Richard Miller will be the designee who lives in Bulloch County. Mr. Couch recommended the approval of the licenses. Without discussion from the Board, Commissioner Gibson offered a motion to grant five Alcoholic Beverage Licenses for retail beer and wine sales to the designee Richard Miller. Commissioner Jackson seconded the motion, and it carried unanimously.

Chairman Nevil asked if there were any comments from the staff or Board. County Manager Thomas asked to address the Board, and called on Public Safety Director Ted Wynn to update the Board about the procurement of ambulances. Mr. Wynn informed the Board about the difficulty of trying to find an ambulance manufacturer right now, explained the problems with different manufacturers, and stated that the County may have to purchase two ambulances from International instead of three because the International model is more expensive. After further discussion, Mr. Couch advised the Board that Tax Anticipation Note (TAN) proposals will be solicited from local financial institutes and presented to the Board at a later date. Next, Mr. Couch informed the Board that Bobby Parham, the new Georgia DOT Board Member, will be visiting Statesboro on October 6, 2009. Mr. Couch also informed the Board that a meeting with the Legislative Delegation is being scheduled for sometime in October, after the ACCG Fall Policy Conference. Commissioner Gibson, County Manager Couch, County Engineer Kirk Tatum, and Transportation Director Eddie Smith discussed some complaints about ditches that are too deep on Lee Road, Doe Run Road, and Deloach Road.

Chairman Nevil asked for additional comments from the Staff or Board. Hearing none, 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 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 other applicable laws, pursuant to the advice of the Chief Corporate Counsel, Mr. Jeff Akins, for the purposes of deliberating on Personnel Matters, Pending and Potential Litigation, and Future Real Estate Acquisition. Without further discussion, Commissioner Thompson offered a motion to enter into Executive Session to discuss Personnel Matters, Pending and Potential Litigation, and Future Real Estate Acquisition. Commissioner Jackson seconded the motion, and it carried unanimously (See Exhibit #2009-125). Commissioner Tankersley, Commissioner Simmons, Commissioner Jackson, Commissioner Rushing, Commissioner Gibson, and Commissioner Thompson voted in favor of the motion.

After adjourning the Executive Session, Chairman Nevil re-opened the Regular Meeting for further Commission and Staff Comments. Staff Attorney Jeff Akins addressed the Board to discuss the rezone request from the last meeting for an application submitted by Bird Lane, LLC, requesting a rezone from PUD (Planned Unit Development) to R-3 (Multiple Family Residential) in order to allow the construction of 8 two bedroom townhomes or apartments. Mr. Akins and Planning and Development Director Andy Welch explained that there was a discrepancy between the application and the sketch plans in regards to the amount of acreage and units being built on the property. After some discussion, Mr. Akins stated that his plan is to notify the applicant and inform them that the rezone action has been annulled because of the procedural issues. Mr. Akins stated that it will be necessary for the applicant to submit another application with the zoning department, and go through the process one more time if they are interested in moving forward with the development.

Commissioner Tankersley, Commissioner Thompson, Mr. Couch, and Chairman Nevil discussed the possibility of the development being annexed into the City of Statesboro, the height of the development, and sewer issues. In concluding the discussion, Mr. Akins stated that he will proceed with notifying the applicant. Chairman

Nevil and Mr. Welch discussed when the Staff becomes involved with the reviewing the information during the rezoning process.

After further discussion, Chairman Nevil asked for any further comments or questions from the Board or Staff. Hearing none, Commissioner Simmons offered a motion to adjourn the Regular Meeting. Commissioner Rushing seconded the motion, and it carried unanimously.

J. Garrett Nevil, Chairman

Attest: Maggie Fitzgerald, Clerk of the Board