

February 17, 2008  
Statesboro, GA

The Board met at 5:30 p.m. in the Community Room of the North Main Annex. Chairman Nevil welcomed the guests and called the meeting to order. Commissioner Jan Tankersley gave the invocation and the pledge of allegiance.

Ms. Marcia Collins, Clerk of the Board, performed the roll call of commissioners and staff. The following commissioners and staff were present: Chairman Nevil, Commissioner Jackson, Commissioner Simmons, Commissioner Tankersley, Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, County Manager Tom Couch, Staff Attorney and Parliamentarian Jeff Akins, County Attorney Charles Brown, and Zoning Administrator Randy Newman.

Chairman Nevil asked for changes or modifications before approval of the General Agenda. Mr. Couch requested one change to the General Agenda: (1) place the discussion of the Planning Calendar after the zoning agenda. Commissioner Tankersley offered a motion to approve the General Agenda as amended. Commissioner Simmons seconded the motion and it carried, unanimously.

The next item of business was the approval of the minutes of the regular meeting held on January 15, 2008 and Executive Session held on January 15, 2008. Chairman Nevil asked for any corrections or additions to the minutes. Commissioner Gibson offered a motion to approve the minutes as printed, Commissioner Jackson seconded the motion and it carried, unanimously.

Chairman Nevil asked for public comments. There were none.

Chairman Nevil opened the public hearing regarding the adoption of an ordinance to authorize the collection of E-911 fees from Voice Over Internet Fees. He asked Ms. Kelly Barnard, E-911 Director to present this item. She explained that Voice Over Internet is a telephone service that has a surcharge like landline and wireless phones. 9-1-1 is currently receiving calls through this service but they are not receiving the surcharge. Chairman Nevil asked for comments. There were none. Commissioner Simmons offered a motion to close the public hearing, Commissioner Tankersley seconded the motion and it carried, unanimously.

The Consent Agenda had eleven (11) items for consideration: (1) Amendment to the Service Delivery Agreement for Fire Protection Services (See Exhibit #2008-10); (2) Intergovernmental Agreement for Fire Protection Services (See Exhibit 2008-11); (3) Bid request for approval to Streeter Printing for 2008 offset printing for the entire department of Statesboro-Bulloch County Parks and Recreation and Splash in the Boro; (4) Burning Agreement with Georgia Forestry Commission (See Exhibit #2008-12); (5) Lease Agreement with Georgia State Defense Force for Statesboro-Bulloch County Airport (See Exhibit #2008-13); (6) Lease Agreement with Pegasus Air, LLC for Statesboro-Bulloch County Airport (See Exhibit #2008-14); (7) Reappointment of Dr. Stan Lee, DVM, Dr. Janice Grumbles, DVM, Leslie Sprando, Christina Lemon, Linda Stockton, Debbie Kruk, Mary Thompson, and Sissy Haskell to the Animal Control Advisory Committee; (8) Reappointment of Bob Smith, Bill Perry, Jimmy High and J.L. Hinton and appointment of Mandy Edwards to the Keep Bulloch Beautiful Board of Directors; (9) Reappointment of Marion Hulsey to the Board of Tax Assessors; (10) Appointment of Joel Martin to the Coastal Workforce Investment Board; (11) Approval of (3) Alcohol Beverage License applications for: an on-premises license for Wang Jin Y for Shogun Restaurant, an off-premises license for Ramanbhai Patel for Ace Stop & Go, and an off-premises license for Deanna Easton for DeDe's. Commissioner Simmons offered a motion to approve the Consent Agenda. Commissioner Tankersley seconded the motion, and it carried unanimously

There was no Old Business on the Agenda.

The first item of New Business was the discussion and/or action regarding the approval of the issuance of revenue bonds by the Development Authority of Bulloch County for the benefit of Georgia Southern University Housing Foundation Four, LLC. Chairman Nevil asked Mr. Couch to present this item. He said the motion that would be required is an adoption of a Certificate to certify the issuance of the bonds. He asked Mr. Steve Rushing to speak on behalf of this matter. Mr. Rushing said the Development Authority met and adopted an Inducement Resolution. Commissioner Thompson made a motion to approve the Certificate. Commissioner Gibson seconded the motion and it carried, unanimously. See Exhibit #2008-15.

The next item of New Business was the discussion and/or action for approval of a Resolution to Impose Voice over Internet Protocol for E-911 charges. Chairman Nevil asked Mr. Couch to present this item. Mr. Couch said the Georgia Emergency Telephone Number 9-1-1 Service Act (codified at O.C.G.A. § 46-5-120) allows imposition of 9-1-1 charges on Voice over Internet Protocol (“VoIP”) connections. This resolution is based on a model provided and recommended by the 9-1-1 Program Administrator for the Georgia Emergency Management Agency. If approved, a 9-1-1 charge of \$1.50 per month would be imposed on each VoIP telecommunications connection subscribed by subscribers whose billing address is within Bulloch County beginning on July 1, 2008. The law states that the charge cannot go into effect until at least 120 days after adoption of the resolution. Commissioner Thompson offered a motion to approve the resolution as stated. Commissioner Jackson seconded the motion and it carried, unanimously. See Exhibit #2008-16.

The next item of New Business was the discussion and/or action regarding approval of a Lease-Purchase with SunTrust for 9-1-1 equipment. Chairman Nevil asked Mr. Couch to present this item. He said pertaining to the terms and conditions of the Lease-Purchase Agreement have been provided. He said the finance amount is \$257,262.00 over seven years at an interest rate of 3.735%. Mr. Jeff Akins said there are two resolutions; one for approval of the Lease-Purchase Agreement, and one for a Reimbursement of Original Expenditures with Proceeds of Financing. He said there is also an amendment to the master Lease Agreement because SunTrust Leasing Corporation will be replaced with SunTrust Equipment Finance & Leasing Corporation. He suggested three separate motions; one to adopt Resolution 2008-5 as presented, one to adopt Resolution 2008-6 as presented, and approval of Amendment No. 01 to the Master Lease-Agreement. Commissioner Thompson offered a motion to approve Resolution 2008-5 as presented. Commissioner Gibson seconded the motion, and it carried, unanimously. (See Exhibit #2008-17). Commissioner Gibson offered a motion to approve Resolution 2008-6 as presented. Commissioner Rushing seconded the motion, and it carried, unanimously. (See Exhibit #2008-18). Commissioner Tankersley offered a motion to approve Amendment No. 01 to the Master Lease Agreement. Commissioner Simmons seconded the motion, and it carried, unanimously. (See Exhibit #2008-19).

Chairman Nevil asked for other business or comments. Commissioner Thompson mentioned Dr. Lela Daughtry Denmark of Portal. He asked Chairman Nevil to inform the Board of this matter. He said Dr. Denmark was 110 years old last week and had practiced medicine for 75 years. The City of Portal wants to name a road in her honor. He said instead of renaming a road; it would be better to place a plaque or commemorative road at the beginning and end of a road. The City of Portal wanted to use the Metter Portal Highway from Upper Lotts Creek Primitive Church to Highway 25. He suggested making a motion to approve a resolution to proclaim a road name in her honor and bring it to the next meeting. Commissioner Thompson said the City of Portal wants to honor her because she was born in Portal. Commissioner Tankersley suggested speaking with the City of Portal and letting them determine the beginning and ending point for the honorary naming.

Chairman Nevil announced a Town Hall meeting hosted jointly by the City of Statesboro and Bulloch County to discuss the Needs Assessment Study in regards to the Luetta Moore Park. The meeting will take place at the North Main Annex in the Commissioners Meeting Room on Thursday, February 21, 2008 at 6:00 p.m. He asked for any further comments. There were none.

Commissioner Gibson offered a motion to recess. Commissioner Rushing seconded the motion and it carried, unanimously.

The meeting was reconvened at 6:30 p.m. for the Public Hearings on zoning matters. Chairman Nevil asked for changes or modifications to the Zoning and Land Use Agenda. Mr. Couch said Item #2 of the Zoning and Land Use Agenda requested by James Clint Smith for a rezone from AG-5 to NC (Neighborhood Commercial) and a conditional use to operate a community center was withdrawn. The property consists of 6.42 acres located on Westside Road. Commissioner Simmons offered a motion to approve the Zoning and Land Use Agenda with modifications. Commissioner Jackson seconded the motion and it carried, unanimously. Chairman Nevil asked Zoning Administrator Randy Newman to present the zoning items. Mr. Newman presented an application submitted by Sarah F. Curtis requesting a rezone from R-80 (Residential 80,000 square feet) to GC (General Commercial). The applicant is also requesting a conditional use for more than one principal building on a single lot. The intent is to sell

12 acres to be used for offices. The property is located on Matthews Road. The Zoning Commission recommended approval of the rezone and conditional use with the following conditions: (1) Any new buildings proposed for construction will require submission of a conceptual site plan; (2) Any new signage shall be limited to one (1) ground sign with a landscaped base, or a wall sign meeting county code; (3) Any new access, driveway and parking areas serving the general public shall be paved; **Condition(s) for Preliminary Plat Submission** (4) The developer shall submit an engineering plan at the time of a conceptual site plan submission to demonstrate that adequate storm water management practices or structures shall be installed to control on-site and off-site run-off and sediment. Commissioner Tankersley offered a motion to approve the rezone and conditional use with conditions as stated. Commissioner Jackson seconded the motion and it carried, unanimously.

Mr. Newman presented an application submitted by Michael and Laura Yardman requesting a conditional use to operate a borrow pit on 10 acres of a 39 acre tract located on New Town Road. Mr. Yardman is acting as Agent. He stated he wanted to build a fish pond on that site. The Zoning Commission recommended approval of the conditional use with the following conditions: (1) Mining operations shall only be conducted Monday thru Saturday, from 9:00 AM to 6:00 PM. (2) For the period of time that mining activities take place, the property owner shall install and maintain at their own expense a driveway apron consisting an appropriate drainage structure and rock-soil base approved by the County Transportation Department (3) The location of the borrow pit shall be sufficiently buffered from view of I-16, the access road and adjacent properties. Commissioner Thompson offered a motion to approve the conditional use. Commissioner Gibson seconded the motion. Mr. Yardman asked that the conditions be read for the record. Mr. Couch stated the conditions. Mr. Yardman asked about condition #3 regarding the sufficiency of the buffer from the view of I-16. He said his intent is to install a berm along that side. After discussion, Mr. Couch recommended amending condition #3 to the following: (3) Install a 10-12' berm to serve as a buffer adjacent to I-16 by completion of the borrow pit. Commissioner Thompson retracted his original motion to approve and made a motion to approve the conditional use with the

amendment as stated. Commissioner Tankersley seconded the motion and it carried, unanimously.

Mr. Newman presented an application submitted by Greg and Courtney Greenway requesting to rezone 3.15 acres out of an 18.07 acre tract from AG-5 to HC (Highway Commercial). The intent is to be able to place outdoor advertising signs on the property. The applicants are also requesting a variance to section 2214 (A) (6) of the Bulloch County Zoning Ordinance. The intent of the variance is to allow the outdoor advertising sign at the crossroads of I-16 and Nevils Groveland Road which is not an interchange. Planning and Zoning denied the variance request. Commissioner Simmons offered a motion to deny the rezone and variance. Commissioner Jackson seconded the motion and it carried, unanimously.

Mr. Newman presented an application submitted by Daniel and Norma Cannady requesting a conditional use for a cottage industry. The intent is to be able to operate on auto recovery business. The property consists of 7 acres located on Rad Denmark Road. Mr. Richard W. Cannady is acting as agent. Mr. Cannady said the land is in his parents name and he has been making the payments since the purchase. He has been recovering vehicles for approximately two years. Commissioner Tankersley asked what is done with the vehicles when they are picked up. Mr. Cannady said they are on the lot for 2-10 days then assigned to an auction. Chairman Nevil asked Mr. Cannady if he is required to carry a license for this job and he stated he was not required and the company he works for is bonded. Commissioner Jackson offered a motion to approve the conditional use. Commissioner Simmons seconded the motion and it carried, unanimously.

Mr. Newman presented an application submitted by Ray Hendley requesting an appeal to the conditions of the conceptual site plan the Planning and Zoning Commission approved on January 10, 2008. The conceptual site plan was approved for 88 multi-family dwellings on Harville Road with the conditions: (1) Install a left turn lane as it meets warrants; and (2) The developer is to meet with the County Engineer for design approval of the left turn lane. Mr. Joey Maxwell is acting as agent. He said they wanted to follow the traffic study that was developed for this project which did not require a left turn lane. The basis of the traffic study was 24 hour traffic counts with A.M. and P.M. peak hours and the Trip Generation Manual. He said there was not enough traffic to

require a left turn lane and the cost benefit ration was not amicable. Mr. Couch said at the time of the Planning and Zoning meeting they did not have a recommendation from the County Engineer so they had to rely on the best interpretation of the traffic study. He requested that the Board accept the consulting engineer's results based on what appears to be a satisfactory explanation of the engineering requirements for Harville Road. Commissioner Tankersley offered a motion to delete the requirements for a left turn lane. Commissioner Gibson seconded the motion and it carried, unanimously.

Sign-in sheets for zoning matter are shown in Exhibit # 2008-21.

Chairman Nevil asked for other comments.

Commissioner Jackson offered a motion to adjourn into Workshop to discuss the Planning Calendar. Commissioner Simmons, Commissioner Tankersley, Commissioner Gibson, Commissioner Thompson, and Commissioner Rushing voted in favor of the motion.

---

J. Garrett Nevil

---

Attest