

August 28, 2012
Statesboro, GA

Regular Meeting-Postponed from August 21, 2012

The Board of Commissioners met at 8:30 a.m. in the Jury Assembly Room at the Judicial Annex located at 20 Siebald Street in Statesboro, Georgia. Chairman Nevil welcomed guests and called the meeting to order. Chairman Nevil gave the invocation and the Pledge of Allegiance.

Ms. Christy Strickland, Interim Clerk of the Board, performed the roll call of the Commissioners and Staff. The following commissioners were present: Chairman Nevil, Vice Chairman Ethridge, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson. The following staff were present: County Manager Thomas Couch, Interim Clerk of the Board Christy Strickland, County Attorney Jeff Akins, Development Services Director Andy Welch, Chief Financial Officer Harry Starling, Public Safety Director Ted Wynn, Transportation Director Dink Butler, Statesboro Bulloch Parks and Recreation Director Mike Rollins, County Engineer Kirk Tatum and Fire Chief Christopher Ivey.

After Roll Call, Chairman Nevil asked for amendments or modifications of the General Agenda. County Manager Tom Couch asked to amend the agenda by adding three additional items under new business: Agenda Item # 4- Discussion/Action to authorize the County Manager to execute a Purchase order and agreement with Georgia Power for Utility Relocation services at Gateway Industrial Park; Agenda Item # 5- Discussion/Action to amend the regular meeting calendar, venue and further consideration regarding meeting room improvements; Item # 6- Discussion of abandonment of silt fencing in areas in the county. Commissioner Mosley offered a motion to approve the General Agenda with amendments suggested by the County Manager. Commissioner Ethridge seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, and Commissioner Ethridge voting in favor of the motion.

Next, Chairman Nevil asked for public comments from the audience. Mr. Herbert Zilt from Nevils, Georgia, spoke to the board concerning speeding traffic around where he lives. He stated there are approximately nine residences in the area with children

residing in a majority of the homes. He has concerns with someone getting hurt or a fatality from the speeders that travel the road. He stated he spoke with Captain Howard NeSmith with the Bulloch County Sheriff's Department a few months ago and he had assured him he would have a Deputy patrol the area. Mr. Zilt stated the problem was still there and he would like to know if there is another solution. Commissioner Thompson said they would speak with Captain Nesmith and see if anything else could be done to help resolve the issue. Chairman Nevil thanked Mr. Zilt for sharing his concerns and asked if there were any more public comments. After hearing none, he asked if there were any in writing. Interim Clerk of the Board Christy Strickland and County Manager Thomas Couch both stated there were no formal requests or petitions received in writing. Hearing no further comments from the public, Chairman Nevil moved forward to the next item on the Agenda.

Chairman Nevil stated that the next item on the Agenda was to approve the Consent Agenda as follows: (1) To accept the staff recommendation to approve the minutes from the August 7, 2012 Regular Meeting and Executive Session; and the August 8, 2012 Special Called Meeting; (2) To authorize an appointment of Dr. Jimmy High and reappoint George Hitt, John Rule and Robert Cheshire to the Statesboro Bulloch County Airport Committee; (3) To authorize the County Manager to execute a contract renewal and a blanket purchase order with Mallard Auto Parts for automotive and equipment filters. (See Exhibit # 2012-089) (4) To authorize the County Manager to execute a contract renewal and blanket purchase order with Mallard Auto Parts for automotive and equipment batteries (See Exhibit #2012-090); and (5) To authorize the Chairman of the Board to execute a letter for a temporary food service permit for the Willow Hill Heritage Festival (See Exhibit # 2012-091). Commissioner Thompson offered a motion to approve the Consent Agenda. Commissioner Mosley seconded the motion, and it carried unanimously with Commissioner Ethridge, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion.

Without any items of Old Business, Chairman Nevil stated that the first item of New Business was for Discussion/Action to grant approval for an Alcohol License for Samir Patel (Licensee/Designee) and Poonam Patel (Owner) doing business as Fast Stop

on Highway 80 East. Interim Clerk of the Board Christy Strickland stated there is a letter attached from Poonam Patel stating he had his alcohol license revoked in Houston County in May 2010. County Attorney Jeff Akins pointed out that Section 3-29(c) of the Bulloch County Code of Ordinances states that “ a license or designee shall not have been denied or had revoked, within the five years next preceding his application, any license to sell alcoholic beverages issued by any governmental entity.” Mr. Akins stated he needed to do some additional research on the request. After hearing no further discussion, Commissioner Rushing offered a motion to defer the request until the next regular scheduled meeting. Commissioner Mosley seconded the motion and it carried unanimously with Commissioner Ethridge, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion.

Chairman Nevil stated the second item under New Business was for Discussion/Action to accept the lowest and most advantageous bid for Network Cabling Upgrades. Development Services Director Andy Welch stated that the North Main Annex is becoming difficult to manage due to the aging equipment and outdated infrastructure which was installed in the 1990s. He stated the current system has had patchwork due to it never being properly networked when it was installed. They are proposing to streamline services and consolidate redundant servers, rewiring the building to a centralized network in the Building and Zoning Department to the North Main Annex. The phases of the project would include consolidating services and installing a voice over internet phone system, which would help reduce IT & phone cost. Mr. Welch said they had enlisted the services of TCOM Design Inc. to develop the specs, review the bids and oversee construction. Two bids were received and TCOM recommended accepting the low bid from Network Cabling Infrastructures in the amount of \$43,959.25. After hearing no further discussion Commissioner Ethridge offered a motion to accept the base and alternate bids as recommended in the total amount of \$43,959.25 from Network Cabling Infrastructures. (See Exhibit # 2012-092). Commissioner Gibson seconded the motion and it carried unanimously with Commissioner Ethridge, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion.

Chairman Nevil stated the third item under New Business was for Discussion/Action to amend the Bulloch County Code of Ordinances to prohibit commercial trucks from using a section of Mud Road. Public Safety Director Ted Wynn stated Mr. Carl Walz was present to speak about the concerns. Mr. Walz stated he lives at 14155 Mud Road in Bulloch County and there is 3.8 miles where commercial trucks are cutting through and they are damaging the roads. He stated he would like to request for signs to be placed along the road prohibiting commercial trucks. County Manager Tom Couch asked if anyone had spoken with Sheriff Lynn Anderson. Public Safety Director Ted Wynn stated he had discussed the issue and Sheriff Anderson said he would enforce the issue if the signs were put in place. After additional discussion, Commissioner Thompson offered a motion to approve the amendment to Section 11.5-53 of Article III of Chapter 11.5 of the Bulloch County Code of Ordinances. (See Exhibit #2012-093). Commissioner Ethridge seconded the motion and it carried unanimously with Commissioner Ethridge, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion.

Chairman Nevil stated the fourth item under New Business was for Discussion/Action to authorize the County Manager to execute a purchase order and agreement with Georgia Power for utility relocations services at Gateway Industrial Park. County Manager Tom Couch stated there were utilities on AJ Riggs Road at the Gateway Industrial Park that needed to be removed. He stated Georgia Power required \$10,000 to do the study to be able to submit a binding cost of what it will take to move it. He stated they needed to go forth with the project because the county has 3 years to complete it and they are already behind schedule. After additional discussion, Commissioner Gibson made a motion to authorize the County Manager to execute a purchase order and agreement with Georgia Power for utility relocation for Gateway Industrial Park. Commissioner Mosley seconded the motion and it carried unanimously with Commissioner Ethridge, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion.

Chairman Nevil stated the fifth item under New Business was for Discussion/Action to amend the regular meeting calendar, venue, and further consideration regarding meeting room improvements. County Manager Tom Couch

stated there were a few regular scheduled meetings where Commissioners would have conflicts and would not be able to attend. He deferred to Interim Clerk of the Board Christy Strickland for the dates. Ms. Strickland stated that for the Regular Meeting scheduled for October 2, 2012 there would be several commissioners and staff attending the 2012 Legislative Leadership Conference in Athens, Georgia; the meeting for Tuesday, January 1, 2013 falls on New Year's Day; the meeting for February 5, 2013 falls on the night of the Wild Game Supper in Atlanta, Georgia. Ms. Strickland stated all three meetings were 5:30 P.M. meetings and suggested moving them to Thursday succeeding the date they were scheduled on. County Manager Tom Couch stated due to the construction of the North Annex Community Room, the venue of the meetings would have to be changed until construction is finished and that he and Ms. Strickland would keep everyone up to date on where the meetings would be held. County Manager Tom Couch stated since the Community Room at the North Annex is being remodeled due to the water damage they would like to proceed with upgrading the audio and visual in the Community Room. He stated it could cost approximately \$50,000 but he would keep the board informed as more information was received. There was no further discussion on this matter and no action was taken.

Chairman Nevil stated the sixth item under New Business was for Discussion/Action on silt fencing being abandoned in different areas of Bulloch County. Commissioner Gibson stated he had several complaints from his neighbors where a developer had put up silt fence and has just left it in place for a large period of time. Zoning Administrator Randy Newman stated there is not anything in the Soil and Erosion Ordinance that states the length of time you can leave silt fence up. Commissioner Gibson stated he would like for the staff and commissioners to look further into the ordinance and see if anything could be done to protect the property owners. There was not any action taken on this item.

With no further items under New Business, Chairman Nevil asked each Commissioner to take a few seconds for any general comments or statements, beginning with Commissioner Ethridge and then proceeding down the bench accordingly. Commissioner Ethridge, Commissioner Rushing, Commissioner Thompson and Commissioner Gibson thanked the staff for their hard work and thanked the public for

attending the meeting. Chairman Nevil stated he had received an email concerning County acceptance of Kendricks Road. Chairman Nevil stated he didn't believe a county dirt road had been accepted by the county in over ten years and there were issues with this road such as, utilities location and right of ways. Commissioner Mosley invited everyone to the Willow Hill Heritage Festival in Portal on Saturday, September 1, 2012.

After some discussion, Chairman Nevil asked for comments from the Staff. Interim Clerk of the Board Christy Strickland reminded the Commissioners and Staff about the 2012 State of the Port Address in Savannah on September 6, 2012. Ms. Strickland stated to let her know if any of the Commission or staff wanted to attend the 2012 Legislative Leadership Conference on September 30-October 2, 2012.

Chairman Nevil asked if there were any further comments from the Commission or Staff. Hearing no further comments from the Board or Staff, he stated the next item on the agenda was the Workshop and called on County Manager Tom Couch. Mr. Couch stated the first item on the workshop was discussion on the 2015 Transportation Improvement Program. Mr. Couch reviewed the problems and issues, the status of the current Transportation Improvements, Proposed Revisions, Network Resurfacing Issues, and Southeast Quadrant Issues. He recommended asking the Chairman to appoint himself and a committee of two additional Commissioners to work with staff on devising a plan to allocate money through 2020. County Attorney Jeff Akins stated any committee appointed by the Commissioners is subject to the requirements of Georgia Open Meetings Act. Mr. Couch also recommended bringing Mr. Blair with Barnhardt Group to perform pavement assessment on 100 miles of paved roads. No action was taken.

The next item on the workshop agenda was discussion of House Bill 386. Mr. Couch explained during the last session the General Assembly enacted a major tax reform package in House Bill 386, which includes a sales and use tax exemption for energy used in the manufacturing process. The exemption applies not only to state sales and use taxes but also to local sales tax levies like SPLOST and LOST, so local tax revenues will be impacted. Mr. Couch explained that this exemption only applies to the use of energy in manufacturing; it does not apply to the sale of energy for other purposes such as heating and air conditioning. He stated the energy exemption is subject to a 4-year phase in at 25% per year. Mr. Couch further explained that the county and

municipalities could enact a local excise tax on energy used in manufacturing to avoid losing local revenue from the exemption. No action was taken.

Chairman Nevil stated that there was no further business expected for the open session of the regular agenda, and the Board must close the meeting and enter into Executive Session to discuss Real Estate and Personnel Matters. Chairman Nevil stated that at the conclusion of the Executive Session, which was expected to last about fifteen minutes, the Board would reconvene and in all likelihood move for adjournment. 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, Jeff Akins, for the purpose of discussing Real Estate and Personnel Matters. Without further discussion, Commissioner Mosley offered a motion to enter into Executive Session to discuss Real Estate matters in accordance with the provision of O.C.G.A. 50-14-3 (b)(1) and Personnel Matters in accordance with provisions of O.C.G.A. 50-14-3(b)(2) (See Exhibit #2012-094). Commissioner Gibson seconded the motion, and it carried unanimously with Commissioner Ethridge, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion.

The meeting was reconvened, and Chairman Nevil asked if there were any further comments from the Commission or Staff. Commissioner Ethridge asked for an update on the Industrial Park negotiations. County Manager Tom Couch stated he had two meetings but no decisions have been made. Hearing no further comments from the Board or Staff, Chairman Nevil asked for a motion to adjourn. Commissioner Rushing offered a motion to adjourn the meeting. Commissioner Ethridge seconded the motion, and it carried unanimously with Commissioner Ethridge, Commissioner Mosley, Commissioner Rushing, Commissioner Gibson and Commissioner Thompson voting in favor of the motion.

J. Garrett Nevil, Chairman

Attest: Christy Strickland, Clerk of the Board