

February 7, 2012
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 Robert Rushing 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, Vice Chairman Ethridge (arrived late), Commissioner Mosley, Commissioner Simmons, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson. The following staff were present: County Manager Thomas Couch, Recorder/Business Office Manager Molly Durden, County Attorney Jeff Akins, Development Services Director Andy Welch, Chief Financial Officer Harry Starling, County Engineer Kirk Tatum, Area Road Superintendent Mike Boyett, and Zoning Administrator Randy Newman.

After Roll Call, Chairman Nevil opened the meeting for Public Hearings regarding Zoning and Land Use matters and stated that the first item of business was the approval of the Zoning and Land Use Agenda. Chairman Nevil asked for amendments or modifications of the Zoning and Land Use Agenda. Hearing none, Commissioner Simmons offered a motion to approve the Zoning and Land Use Agenda as presented. Commissioner Rushing seconded the motion, and it carried unanimously. Chairman Nevil asked Zoning Administrator Randy Newman to present the two items of business.

Zoning Administrator Randy Newman presented Item #1 which was an application submitted by Frankie B. Kruse requesting a rezone from Ag-5 (Agricultural 5 acres) to R-40 (Residential 40,000 square feet). Mr. Newman stated that the original parcel was grandfathered in as a Manufactured Home Park under Ag-5, and that Ms. Kruse would like to rezone 1.46 acres out of the 7.3 acre tract to sell to Ms. Eula G. Scott. Mr. Newman stated that the property is located on Highway 46 in Kozy Korner Manufactured Home Park, tax map #079 000024 000. The Staff recommended and the Planning and Zoning Commission voted to approve the request. Acting as Agent, Ms. Eula Scott stated that she started making monthly payments to purchase the property in 1995, after the Zoning regulations were in place, but now she has paid for the property

and would like to rezone it in order to get a plat of the property. No one signed up to speak for or against the request. After some discussion, Commissioner Thompson offered a motion to approve the request submitted by Frankie B. Kruse for a rezone from Ag-5 (Agricultural 5 acres) to R-40 (Residential 40,000 square feet). Commissioner Gibson seconded the motion, and it carried unanimously.

Zoning Administrator Randy Newman presented Item #2 which was an application submitted by Anthony Ferguson requesting a conditional use for multiple uses on the property, including a Bed and Breakfast, a building to host public functions, a recreation facility to hold skeet shoots, and a farm supply store. Mr. Newman stated that the property consists of 167 acres, and is located on Driggers Road, tax map #173 000018 000. The Staff recommended and the Planning and Zoning Commission voted to approve the request with conditions. Mr. Anthony Ferguson stated that he agreed with all of the conditions, and if approved he would host birthday parties and other events on the property. No one signed up to speak for or against the request. After further discussion and questions from the Board, Commissioner Thompson offered a motion to approve the conditional use request with the conditions as set forth in Exhibit #2012-6. Commissioner Ethridge seconded the motion, and it carried unanimously.

Sign-in sheets for Zoning Matters are shown in Exhibit #2012-7.

Chairman Nevil closed the Public Hearings regarding Zoning and Land Use matters, and asked for amendments or modifications of the General Agenda. County Manager Thomas Couch asked that the General Agenda be amended by transferring Item #4 from the Consent Agenda to the New Business Agenda as Item #2 for the discussion and/or action with regard to an agreement for the sale of tractors and mowers. Hearing no further amendments or modifications, Commissioner Simmons offered a motion to approve the General Agenda as amended. Commissioner Mosley seconded the motion, and it carried unanimously.

The next item of business was the approval of the Minutes for the Regular Meeting held on January 17, 2012. Chairman Nevil called for corrections or modifications to the Minutes. Without hearing any corrections or modifications, Commissioner Gibson offered a motion to approve the minutes as presented. Commissioner Ethridge seconded the motion, and it carried unanimously.

Next, 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. Hearing no 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 grant an alcoholic beverage license for package retail beer and wine sales to Vatsal and Bindiya Pithwa of Maruti Food and Gas, LLC, doing business as 301 Food and Gas, which is located at 17899 US Highway 301 North in Unincorporated Bulloch County; (2) to authorize a sole source procurement award to Pyro Shows of Lafayette, Tennessee for the Swing into Spring Celebration at Mill Creek Park (See Exhibit #2012-8); (3) to dispense with the reading and adopt a resolution authorizing the sale of equipment upon being declared unserviceable (See Exhibit #2012-9); (4) to dispense with the reading and adopt a resolution to authorize the transfer of vehicles from the Sheriff's Department to Ogeechee Technical College (See Exhibit #2012-10); (5) to dispense with the reading and adopt a resolution authorizing the acceptance of Cypress Hollow Court in Grand Cypress Subdivision (See Exhibit #2012-11); and (6) to dispense with the reading and adopt a resolution amending the County's Financial Policies (See Exhibit #2012-12). Without discussion, Commissioner Mosley offered a motion to approve the Consent Agenda as presented. Commissioner Simmons seconded the motion, and it carried unanimously.

Without any items of Old or Unfinished Business, Chairman Nevil stated that the first item of New Business was the discussion regarding the proposed amendments to the County Code of Ordinances pertaining to Occupational Taxes. Chairman Nevil called on County Manager Thomas Couch to initiate the discussion regarding the matter, and Mr. Couch summarized previous discussions regarding the proposed amendment to the Occupational Tax fees, and stated that he recommended using a model such as Screven County, which uses a fee schedule determined by the number of employees, but not using a cap. After further discussion, the Board came to the consensus that the Board would make a decision regarding how to amend the County Code of Ordinances pertaining to Occupational Taxes during the second meeting in March. No action was taken regarding this matter.

Chairman Nevil stated that the second item of New Business was for the discussion and/or action regarding an agreement for the sale of tractors and mowers. Chairman Nevil called on County Manager Thomas Couch to initiate the discussion regarding the matter, and Mr. Couch stated that the agreement with J.M. Wood Auction Company, Inc., authorizes the company to sell, at auction, four John Deere tractors and five Woods mowers with a guarantee that Bulloch County will receive a minimum cash amount of \$100,000.00, less 8% commission, netting in \$92,000.00. Mr. Couch also discussed the offer from Flint Equipment to purchase five motor graders for \$530,000.00. After further discussion from County Engineer Kirk Tatum and the Board, Commissioner Thompson offered a motion to approve the agreement with J. M. Wood Auction Company for the sale of mowers and tractors (See Exhibit #2012-13). Commissioner Rushing seconded the motion, and it carried with a vote of 5 to 1. Commissioner Gibson voted against the motion. County Attorney Jeff Akins stated that Board needed to approve the agreement with the Flint Equipment Company for the sale of the motor graders. Commissioner Thompson offered a motion to approve the agreement with the Flint Equipment Company for the sale of the motor graders (See Exhibit #2012-14). Commissioner Simmons seconded the motion, and it carried unanimously.

Chairman Nevil asked each Commissioner to take thirty seconds for any general comments or statements, beginning with Commissioner Ethridge and then proceeding down the bench accordingly. Commissioner Ethridge, Commissioner Simmons, Commissioner Rushing, Commissioner Thompson, Commissioner Gibson, and Commissioner Mosley all welcomed the audience and thanked the students for attending the meeting. Commissioner Simmons recognized Reverend Torrence, and thanked him for attending. Commissioner Rushing stated that he is proud of the proposed amendments to the Occupational Tax and would like to see the Fire Fees amended in the future.

After further discussion, Chairman Nevil asked for comments from the Staff, and County Manager Thomas Couch reviewed a memo regarding Georgia Department of Transportation and possible funding for intersections and roundabouts. Mr. Couch discussed proposals for bond underwriting, and reminded the Board about the scheduled Workshop for February 14th.

Chairman Nevil asked if there were any further comments from the Commission or Staff. Hearing no further comments from the Board or Staff, Chairman Nevil asked for a motion to adjourn. Commissioner Gibson offered a motion to adjourn the meeting. Commissioner Ethridge seconded the motion, and it carried unanimously.

J. Garrett Nevil, Chairman

Attest: Maggie Fitzgerald, Clerk of the Board