

March 20, 2012
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 Walter Gibson 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, Vice Chairman Ethridge, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson. The following staff were present: County Manager Thomas Couch, Clerk of the Board Maggie Fitzgerald, County Attorney Jeff Akins, Development Services Director Andy Welch, Chief Financial Officer Harry Starling, Public Safety Director Ted Wynn, Area Road Superintendent Mike Boyett, Area Road Superintendent Therman Fail, Statesboro Bulloch County Parks and Recreation Director Mike Rollins, Human Resources Director Karen Grabenstein, and County Engineer Kirk Tatum.

After Roll Call, Chairman Nevil asked for amendments or modifications of the General Agenda. Hearing no amendments or modifications, Commissioner Ethridge offered a motion to approve the General Agenda as presented. Commissioner Mosley seconded the motion, and it carried unanimously.

Next, 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 both 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 Board would recognize the Kiwanis "Rodeo Days" with a Proclamation. Chairman Nevil read and presented the proclamation to the Kiwanis members who were present, and thanked them for bringing the event to Bulloch County.

Next, Chairman Nevil stated that the next item on the Agenda was to approve the Consent Agenda as follows: (1) to approve the Minutes of the Regular Meeting held on

March 6, 2012; (2) to approve the E-TraK Plus Software system for the Parks and Recreation Department (See Exhibit #2012-34); (3) to approve a bid from Liberty Pyrotechnics for the Parks and Recreation Department; and (4) to grant an alcoholic beverage license for the sale of retail package beer and wine to Connie Sumner, Beverly Sumner, Jimmy Sumner Jr., and Philip Sumner of Po-Jo's Gas-N-Go, located at 3575 US Highway 301 South in Unincorporated Bulloch County. Commissioner Thompson asked that Item #3, the bid from Liberty Pyrotechnics, be moved to the New Business Agenda as Item #1 for further discussion. Without further discussion, Commissioner Mosley offered a motion to approve the Consent Agenda as amended. Commissioner Ethridge seconded the motion, and it carried unanimously.

With no items of Old or Unfinished Business, Chairman Nevil stated that the first item of New Business was the discussion and/or action regarding a bid from Liberty Pyrotechnics for the Parks and Recreation Department. Chairman Nevil called on Commissioner Thompson to initiate the discussion regarding the matter, and Commissioner Thompson asked why Liberty bid a free show for Swing into Spring 2013. Parks and Recreation Division Manager Sherrie Zeigler stated that the free show only applies to the bid package for both Swing into Spring and the 4th of July Celebration, and that Liberty was the lowest bidder with a longer show time and bigger shells. After some further discussion, Commissioner Thompson offered a motion to approve lowest and most responsible bid for fireworks for the Parks and Recreation Department's July 4th Celebration and Swing into Spring 2013, from Liberty Pyrotechnics (See Exhibit #2012-35). Commissioner Gibson seconded the motion, and it carried unanimously.

Chairman Nevil stated that the second item of New Business was the discussion and/or action regarding an amendment to the Alcohol Ordinance. Chairman Nevil called on County Attorney Jeff Akins to initiate the discussion regarding the matter, and Mr. Akins stated that the referendum question on Sunday alcohol sales by the drink passed with an affirmative vote of 55.93% in the election on March 6th, and that an ordinance amendment is necessary to allow Sunday alcohol sales for consumption on the premises. After some further discussion, Commissioner Ethridge offered a motion to approve an amendment to the Bulloch County Alcohol Ordinance regarding Sunday alcohol sales by

the drink (See Exhibit #2012-36). Commissioner Mosley seconded the motion, and it carried unanimously.

Chairman Nevil stated that the third item of New Business was the discussion and/or action regarding the selection of a bond underwriter. Chairman Nevil called on County Manager Thomas Couch to initiate the discussion regarding the matter, and Mr. Couch gave the Board an update on the selection process for sale of the 2013 sales tax bonds. After further discussion, Mr. Couch suggested that the review panel meet one more time to review the candidates, and then bring a recommendation to the Board at the next meeting. Commissioner Ethridge stated that she would abstain from the discussion and voting due to her employment with BB&T, which is one of the candidates. No formal action was taken.

Chairman Nevil stated that the fourth item of New Business was the discussion and/or action regarding an amendment to the FY2012 general budget for a one time allocation of \$10,000.00 to the Main Street Farmers Market. Chairman Nevil called on County Manager Thomas Couch to initiate the discussion regarding the matter, and Mr. Couch stated that the \$10,000.00 would be a one-time allocation for the sustainability and growth of the Farmers Market, and that the funds would be manager by the Downtown Statesboro Development Authority. After some further discussion, Commissioner Thompson offered a motion to approve an amendment to the FY2012 general budget for a one time allocation of \$10,000.00 to the Main Street Farmers Market (See Exhibit #2012-37). Commissioner Ethridge seconded the motion, and it carried unanimously.

Chairman Nevil stated that the fifth item of New Business was the discussion and/or action regarding a bid for paving S&S Railroad Bed Road. Chairman Nevil called on County Manager Thomas Couch to initiate the discussion regarding the matter, and Mr. Couch asked County Attorney Jeff Akins about adding a liquidated damages clause to the paving contract to insure that the work would be completed on time. Mr. Akins stated that the bid did not include the clause, and therefore could not be added to the contract. Chairman Nevil stated that he would personally discuss the issue of time sensitivity with completing the paving with Ellis Wood Contracting. After further discussion, Commissioner Ethridge offered a motion to approve a bid from Ellis Wood

Contracting for paving S&S Railroad Bed Road (See Exhibit #2012-38). Commissioner Mosley seconded the motion, and it carried unanimously.

With no further items of New Business, 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 thanked the Staff for their hard work, and thanked the Kiwanis Club for bringing the Rodeo again this year. Commissioner Mosley also thanked the Staff and the Kiwanis Club, and invited everyone to attend a forum regarding community issues in the Portal area with a focus on adult education and senior programs to be held on Saturday, March 24th, at 2:00 p.m. at the Willow Hill School. Commissioner Walter Gibson thanked Human Resources Director Karen Grabenstein for her service, and wished her luck with her new career.

After further discussion, Chairman Nevil asked for comments from the Staff, and County Manager Thomas Couch thanked everyone for the outpouring of support for the past few weeks while he was busy with a sick father. Mr. Couch stated that at the next meeting the Board would discuss deeding the last piece of land that extends to Granade Street to the Hospital Authority with consideration to deed it to the Ogeechee Area Hospice, and opening up for public sale the remaining land from the old Bulloch Hospital.

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 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 Personnel Matters and Pending Litigation. 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 Chief Corporate Counsel, Jeff Akins, for the purposes of deliberating on Personnel Matters and Pending Litigation. Without further discussion, Commissioner Mosley offered a motion to enter into Executive Session to discuss Personnel Matters and Pending Litigation (See

Exhibit #2012-39). Commissioner Gibson seconded the motion, and it carried unanimously. Commissioner Ethridge, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voted in favor of the motion.

The meeting was reconvened, and Chairman Nevil asked if there were any further comments from the Commission or Staff. Hearing no 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.

J. Garrett Nevil, Chairman

Attest: Maggie Fitzgerald, Clerk of the Board