

May 1, 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 Ray Mosley 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 Simmons, 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, Airport Manager Jeff Herrington, Warden Chris Hill, Deputy Clerk Christy Strickland, 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 Mosley offered a motion to approve the Zoning and Land Use Agenda as presented. Commissioner Simmons seconded the motion, and it carried unanimously with Commissioner Ethridge, Commissioner Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion. Chairman Nevil asked Zoning Administrator Randy Newman to present the first item of business.

Zoning Administrator Randy Newman presented Item #1 which was an appeal submitted by Sarah Lewis regarding the Planning and Zoning Commission's denial of her variance request, to add a 28x48 foot manufactured home onto the existing manufactured home to have additional living space so that she can care for her mother-in-law who is disabled, March 8, 2012. Mr. Newman stated that the property consists of 0.69 acres and is located on Live Oak Loop, tax map #196C 000019 000. The Staff recommended the denial of the variance request, but if approved, the Staff would recommend two

conditions. Mrs. Sarah Lewis stated that she has done a lot of work to the property, and that the neighbors all signed a petition stating their approval of the variance request. Mr. Newman stated that no one signed up to speak for or against the request. After some discussion, Commissioner Thompson offered a motion to approve the variance request submitted by Sarah Lewis with the conditions as set forth in Exhibit #2012-45. Commissioner Rushing seconded the motion, and it carried unanimously with Commissioner Ethridge, Commissioner Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion.

Zoning Administrator Randy Newman presented Item #2 which was an application submitted by Wanda Holloway requesting a Conditional Use in order to open a daycare. Mr. Newman stated that the property consists of 2 acres and is located on Old Register Road, tax map #077 000034 000. The Staff recommended and the Planning and Zoning Commission voted to approve the rezone request. Acting as Agent, Mrs. Brittany Brown stated that the daycare would be licensed for 18 children, and that she would move her current daycare from Highway 67 to Old Register Road, which would be more convenient for most of the parents. Mr. Newman stated that no one signed up to speak for or against the request. After some discussion, Commissioner Gibson offered a motion to approve the Conditional Use request submitted by Wanda Holloway. Commissioner Mosley seconded the motion, and it carried unanimously with Commissioner Ethridge, Commissioner Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion.

Zoning Administrator Randy Newman presented Item #3 which was a request by River Bluff Plantation, LLC., for a Modification to Conditions that were attached to a rezone request that was approved by the Board of Commissioners on July 14, 2007. Mr. Newman stated that the applicant is asking to have Condition #2 removed, which stated: "All dwellings shall consist of traditional site build construction meeting state building codes. Manufactured housing shall be prohibited." Mr. Newman stated that the property consists of 160 acres and is located on Martin Swinson Road, tax map #196 000030 000. The Staff recommended the denial of the request and the Planning and Zoning Commission voted to approve the modification to the conditions request. Acting as

Agent, Mr. Robbie Bell stated that the property is surrounded by manufactured. Mr. Newman stated that no one signed up to speak for or against the request. After some discussion, Commissioner Thompson offered a motion to approve a modification to conditions for River Bluff Plantation, LLC. Commissioner Ethridge seconded the motion, and it carried unanimously with Commissioner Ethridge, Commissioner Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion.

Sign-in sheets for Zoning Matters are shown in Exhibit #2012-46.

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: (1) adding a Presentation by Clint Bland of Coastal Energy; (2) adding as Item #2 of New Business, the discussion and/or action regarding an intergovernmental agreement to authorize the Sheriff's Dept. to accept federal funds from a grant awarded to the City of Statesboro for law enforcement purposes; and (3) adding an Executive Session regarding potential real estate acquisition. 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 with votes from Commissioner Ethridge, Commissioner Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson.

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. Mr. Melvin Lynn from the Hopeulikit Community discussed the ownership of a leaking pipe that runs under Lester Fordham Road. County Attorney Jeff Akins stated that he would need to research the issue to determine if the County or Mr. Lynn actually owns the pipe. Hearing no further comments from the public, Chairman Nevil moved forward to the next item on the Agenda.

Chairman Nevil stated that the Board was petitioned to hear one presentation, and that the presentation would be given by Mr. Clint Land, Founder of Coastal Energy, to discuss the benefits of using propane powered vehicles and equipment. Mr. Land

discussed how much money the County would save by using propane vehicles and equipment and stated that propane is a clean burning gas, which is good for the environment. After further discussion, Chairman Nevil thanked Mr. Land for his Presentation.

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 April 17, 2012; (2) to accept the Staff recommendation authorizing the County Manager to execute an Intergovernmental Agreement with the Georgia Department of Corrections regarding Inmate Capacity (See Exhibit #2012-47); and (3) to accept the Staff recommendation authorizing the Chairman of the Board to execute an Intergovernmental Agreement with the Georgia Department of Transportation to accept grant funds and commit local matching for improvements at the Airport (See Exhibit #2012-48). Without discussion, Commissioner Simmons offered a motion to approve the Consent Agenda as presented. Commissioner Mosley seconded the motion, and it carried unanimously with Commissioner Ethridge, Commissioner Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion.

Chairman Nevil stated that the first item of Old/Unfinished Business was the discussion and/or action to consider the recommendation for revising the rates for Occupational Tax Certificates. Chairman Nevil called on County Manager Thomas Couch to initiate the discussion regarding the matter, and Mr. Couch stated that the current rate is a flat \$125 tax, but that in order to achieve a more progressive fee schedule as well as maintain the current level of revenue in the general fund, a graduate fee schedule based on the number of employees is recommended. After some discussion, the Board came to the consensus that a Public Hearing would be held before the second meeting in May. No formal action was taken regarding this matter.

Chairman Nevil stated that the first item of New Business was the discussion and/or action with regard to consider revising the schedule for upcoming meetings for Calendar Year 2012. Chairman Nevil called on Clerk of the Board Maggie Fitzgerald to initiate the discussion regarding the matter, and Ms. Fitzgerald stated that due to the 4th of July holiday and Elections day, the July 3rd meeting should be moved to July 2nd and the

November 6th meeting should be moved to November 5th. After some discussion, Commissioner Rushing offered a motion to move the July 3rd meeting to July 2nd and the November 6th meeting to November 5th. Commissioner Thompson seconded the motion, and it carried unanimously with Commissioner Ethridge, Commissioner Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion.

Chairman Nevil stated that the second item of New Business was the discussion and/or action to authorize the Chairman of the Board to execute an intergovernmental agreement that allows the Sheriff's Department to accept federal funds from a grant awarded to the City of Statesboro. Chairman Nevil called on County Manager Thomas Couch to initiate the discussion regarding the matter, and Mr. Couch stated that the City of Statesboro Police Department and Bulloch County Sheriff's Department obtained a JAG grant through the Edward Byrn Memorial Justice Assistance Program, and that the intergovernmental agreement will allow the Sheriff's Department to utilize its share of the grant in the amount of \$11,895.00. After some discussion, Commissioner Ethridge offered a motion to approve an intergovernmental agreement between Statesboro and Bulloch County for a JAG Grant (See Exhibit #2012-49). Commissioner Simmons seconded the motion, and it carried unanimously with Commissioner Ethridge, Commissioner Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion.

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, Commissioner Mosley, and Commissioner Gibson thanked the Staff for their hard work and thanked the students for attending the meeting.

After further discussion, Chairman Nevil asked for comments from the Staff, and County Manager Thomas Couch reminded the Board about the Georgia DOT meeting regarding STIP on Wednesday, May 2nd.

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 Potential Real Estate Acquisition. 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 Potential Real Estate Acquisition. Without further discussion, Commissioner Simmons offered a motion to enter into Executive Session to discuss Potential Real Estate Acquisition (See Exhibit #2012-50). Commissioner Mosley seconded the motion, and it carried unanimously with Commissioner Ethridge, Commissioner Simmons, 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. 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 Gibson seconded the motion, and it carried unanimously with Commissioner Ethridge, Commissioner Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion.

J. Garrett Nevil, Chairman

Attest: Maggie Fitzgerald, Clerk of the Board