

May 6, 2014
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 Thompson gave the invocation and the pledge of allegiance.

Ms. Christy Strickland, Clerk of the Board, performed the roll call of the commissioners and staff. The following commissioners were present: Commissioner Ethridge, Vice-Chairman Simmons, Commissioner Mosley, Chairman Nevil, Commissioner Rushing, Commissioner Thompson and Commissioner Gibson. The following staff were present: County Manager Tom Couch, County Attorney Jeff Akins, Developmental Services Director Andy Welch, Chief Financial Officer Harry Starling, Transportation Director Dink Butler, Chief Deputy Jared Akins, Public Safety Director Ted Wynn, Chief Accountant Whitney Richland, Zoning Administrator Randy Newman, Tax Assessor John Scott, Statesboro Bulloch Parks and Recreation Director Mike Rollins, and Payroll Clerk Linda Morris.

After Roll Call, Chairman Nevil opened the meeting for Public Hearings regarding Zoning and Land Use matters. Chairman Nevil called on Zoning Administrator Randy Newman to present the first item of business. Mr. Newman stated the first item on the agenda was for an application submitted by Michael Mallard for a rezone from AG-5 (Agricultural 5 acres) to R-80 (Residential 80,000 square feet). The property consists of ten (10) acres and is located on Clito Road Map/Parcel # 133 0000020 001. Mr. Mallard stated he was requesting the rezone to be able to build five (5) rental houses on the property. He stated they would be approximately 1266 square feet. There was no one signed up to speak on the request (See Exhibit # 2014-066). Hearing no further discussion, Vice-Chairman Simmons offered a motion to approve rezoning the property from AG-5 (Agricultural 5 acres) to R-80 (Residential 80,000 square feet with a condition (See Exhibit # 2014-067). Commissioner Ethridge seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Vice-Chairman Simmons, and Commissioner Ethridge voting in favor of the motion.

Mr. Newman stated the next item on the zoning agenda was an application submitted by Tippins Bank, a division of Glennville Bank, for a conditional use to allow an automobile hauler under the definition of a cottage industry. The property consists of 16.73 acres and is located on Horse and Buggy Lane, Map/Parcel # 172 000030 004. Real Estate Broker Wayne Groover was acting as agent and stated the property had previously been used an auto repair/paint shop and the

prospective buyer, Mr. Lewis, would be operating an automotive hauler which is a lesser use than it was used as previously. Mr. Lewis stated it would only be two or three times a week, and that he would bring cars in overnight and they would be gone the next day. Ms. Lois Lane was signed up to speak on the request and wanted to know if Mr. Lewis would maintain the road. Mr. Lewis stated he would help maintain the road. Ms. Lane asked if he would be coming in during late hours. Mr. Lewis stated he only has a certain amount of hours he can drive so he should not be coming in any later than nine o'clock. There was no one else signed up to speak on the request (See Exhibit # 2014-068). Hearing no further discussion, Commissioner Gibson offered a motion to approve the Conditional Use request to allow an automobile hauler under the definition of a cottage industry. Commissioner Mosley seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Vice-Chairman Simmons, and Commissioner Ethridge voting in favor of the motion. Mr. Newman stated that concluded the Zoning Agenda.

Next on the agenda, Chairman Nevil asked for amendments or modifications of the General Agenda. County Manager Tom Couch stated he would like to recommend adding Item # 3 Under New Business for Discussion/Action to adopt a resolution to approve stop-loss insurance for the County's Health Plan. Commissioner Thompson asked to move the following items from the Consent Agenda to Items # 4 and # 5 respectively under New Business: (a) To approve to authorize a purchase order to the apparent lowest and responsive bidder for two tandem drive motor graders; and (b) To approve to authorize a purchase order to the apparent lowest and most responsive bidder for one motor grader and sloper. Hearing no further modifications, Vice-Chairman Simmons offered a motion to approve the General Agenda with the modifications requested by the County Manager and Commissioner Thompson. Commissioner Ethridge seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Vice-Chairman Simmons, and Commissioner Ethridge voting in favor of the motion.

Chairman Nevil asked for any public comments from the audience at large or in writing. Mr. Gary Mosley of Banks Creek Church Road was present to speak about the status of the petition for Ponderosa Road off of Two Chop Road. He stated with all the rain the road was in terrible condition. Mr. Darcell Wiggins of Jessie Howell Road was present to speak about the condition of Oak Groveland Road. He stated there is a church on the road and there were several members of the church present who would also like the road paved. Chairman Nevil stated the petition still has not been signed by the required one hundred percent of the owners and until then they will not even be able to put it on the schedule to be paved. Mr. Wiggins asked if the

property of those who did not agree could be taken under eminent domain. Chairman Nevil stated that is a costly and difficult process. Mr. Williams stated there are two accesses to get to the church and the people of the church would be in agreement to have just one way paved from Rocky Ford Road to the Church on Oak Groveland Road. Chairman Nevil explained the process and the cost of having a road paved and stated they would have to look into what the best options would be for the road.

Mr. Larry Cone of Hood Road was present and stated he was present at last month's meeting concerning the paving of Hood Road. He stated he had gotten everyone's signature on the petition, except for one homeowner who said he did not mind the road being paved but refused to sign the petition. Commissioner Thompson asked County Attorney Jeff Akins if, in lieu of this homeowner signing the petition, the county could accept a letter from the homeowner indicating his agreement that the road be paved. Mr. Akins stated that the petition is just a good faith representation that the property owners signing the petition want the road paved and will eventually sign a right-of-way deed conveying the necessary right-of-way to the county, and it is not legally binding on those signing the petition. Mr. Akins further stated that a letter making that same representation from the homeowner would probably be acceptable. Commissioner Ethridge stated she has received phone calls from citizens in the past who have signed the petition but then decided they did not want the road to be paved.

Ms. Lois Chambers of Moore road was present and stated she that Williams Road is in bad condition, especially at the end of the road where the church is located.

Dr. Ruth Green was present and stated she has been before the board several times about different concerns but has never received any answers. She stated she obtained the audio recording of the last meeting she attended, and when she played it she heard some negative comments that were made after she had left the meeting. She went over her concerns again about the Development Authority, Great Dane, Agenda Packets and what the Commissioners' responsibilities are to the citizens.

Mr. Willie Marvin Torrence of Banks Creek Church Road was present and stated he had been to the roads department several times about the road being in poor condition. He stated there are several senior citizens that live on that road and it needs to be maintained. Chairman Nevil thanked everyone for coming and expressing their concerns.

Chairman Nevil stated the next item on the agenda was Presentations, and there were two presentations scheduled for this meeting.

The first presentation was by the Board of Education, and Chairman Nevil called on Superintendent Charles Wilson to initiate discussion on the item. Mr. Wilson presented a

Proclamation to Public Safety Director Ted Wynn and thanked him and all of Bulloch County for their cooperation in making sure the students of the Bulloch County School System are safe.

The next presentation was from Ms. Carrie Howard who discussed some of her concerns as a citizen. Ms. Howard went over some concerns she had about taxes and stated that she felt that senior citizens should be exempt from paying certain taxes and referenced some laws from the Department of Revenue. Chairman Nevil suggested to Ms. Howard that she speak with Tax Assessor John Scott or Tax Commissioner James Deal to see if she qualifies for any exemptions and thanked her for expressing her concerns.

Chairman Nevil stated the next item on the agenda was to approve the Consent Agenda as follows: (1) To approve the minutes of the Regular Meeting and Executive Session held on April 15, 2014; (2) To approve the appointment of Ms. Liz Bland and Ms. Lynda Webb to the Statesboro Regional Library Board; (3) To approve the submission of the following three applicants to the Bulloch County Hospital Authority for Seat 1-A:, Mr. Bill Stubbs, Mr. John Smith , and Mr. Elliott Marsh; (4) To approve the reappointment of Mr. Marion Hulsey to the Bulloch County Board of Tax Assessors; (5) To approve an alcoholic beverage license for retail beer and wine sales to Keyurii Patel for Zip-N-Foods #8; (6) To approve a sole source procurement for a new audio/video system in a courtroom at the courthouse (See Exhibit # 2014-069); (7) To approve a memorandum of understanding with the Board of Health and Southeast Health District Operations (See Exhibit # 2014-070); (8) To approve a lease agreement with Pineland Behavioral Health Development Disabilities (See Exhibit # 2014-071); (9) To approve a bid submitted by Over and Under Construction Inc. to remove seven wooden light poles and replace with new wooden poles at Fair Road Park, Zadio Douglas Park, and Brooklet Park (See Exhibit # 2014-072); (10) To approve a purchase order to E-One as the lowest bidder in the amount of \$479,962.00 for two fire trucks (See Exhibit # 2014-073); (11) To approve a purchase order to Fireline, Inc. as the lowest bidder in the amount of \$44,724.00 for a fire hose (See Exhibit # 2014-074); (12) To approve a purchase order to Freightliner of Savannah as the lowest bidder in the amount of \$103,658.00 for a solid waste roll-off truck; (13) To approve a contract and purchase order with Tippins-Polk Construction as the lowest responsive and responsible bidder in the amount of \$98,125.00 for construction services at the Bulloch County Jail (See Exhibit # 2014-075). Hearing no discussion, Commissioner Rushing offered a motion to approve the Consent Agenda as previously modified and as stated above. Commissioner Ethridge seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Vice-Chairman Simmons, and Commissioner Ethridge voting in favor of the motion.

After a five minute recess, Chairman Nevil stated the first item under New Business was for Discussion/Action to authorize the staff to negotiate and enter into an agreement with closing on May 30, 2014 with the most advantageous proposer for municipal master lease financing. He called on County Manager Tom Couch to initiate discussion on the matter. Mr. Couch stated that U.S. Bancorp has been evaluated as having terms and conditions most advantageous to the county and there is a bid report and RFP in the agenda packets for review. He stated the RFP document contains the schedule of proposed equipment purchases. Mr. Couch stated his recommendation that funds for most of the equipment be appropriated from SPLOST 2007-2013 roads proceeds and that funds for the new fire trucks be appropriated from SPLOST 2007-2013 public safety proceeds. After some discussion, Commissioner Mosley offered a motion to authorize the staff to negotiate and enter into an agreement with U.S. Bancorp with closing by May 30, 2014 for municipal master lease financing (See Exhibit #2014-076). Commissioner Ethridge seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Vice-Chairman Simmons, and Commissioner Ethridge voting in favor of the motion.

Chairman Nevil stated the second item under New Business was for Discussion/Action to authorize a purchase order to the apparent lowest and most responsive bidder for two (2) backhoe loaders. He called on County Manager Tom Couch to initiate discussion on the matter. Mr. Couch stated that Border Equipment/Case is the apparent low bidder for this procurement with a total bid price of \$97,700.00, with a five-year lease buyback. One bid did not meet bid specifications. He stated the department reported some adverse reference checks relating to service issues with Border/Case. Mr. Couch stated Yancey Brothers petitioned to be considered for a local vendor preference, but the petition was denied by the County Manager as not meeting criteria to qualify as a local vendor in the county's purchasing policy. He stated that Yancey has the option to appeal the denial to the Board of Commissioners, and therefore any purchase order approved at this meeting will be held for ten (10) days which is the time allowed for filing an appeal. Mr. Couch stated that also included in the bid were submissions for lease-purchase financing; however, if proposed master lease financing is more favorable and approved by the Board, he recommends using the master lease to finance purchase of the equipment. Commissioner Rushing asked if Yancey would be allowed the opportunity to match the price of the lowest bidder if Yancey is considered a local vendor. Mr. Couch stated that Yancey would have that opportunity because its bid is within 5% of the lowest bid. Chairman Nevil asked what the process would be if Yancey wanted to appeal. Mr. Couch stated Yancey would have ten (10) days to appeal the decision made by the County Manager and a purchase order would not be

issued until after the appeal was heard and decided at the May 20, 2014 meeting. Commissioner Rushing stated the specs for the backhoes did not include the four-in-one buckets that were needed. After discussion on the bids, Commissioner Thompson stated he would like to offer a motion to defer the item to allow the vendors time to submit amended prices which include a four-in-one bucket on one of the backhoes. County Attorney Jeff Akins asked all the vendor representatives present if they agreed to that procedure, and all the representatives said they were in agreement to each submit a supplemental price on a four-in-one bucket and have the amended bids brought back for consideration at the meeting on May 20, 2014. Mr. Akins also asked the Yancey representative if he was in agreement for the Commissioners to decide whether Yancey met the requirements for a local vendor at the May 20, 2014 meeting, and the Yancey representative confirmed that he was in agreement with this procedure. Commissioner Thompson then stated that, in addition to Item #2, he would also like to defer a decision on Item # 4 (discussion/action to approve to authorize a purchase order to the apparent lowest and responsive bidder for two tandem drive motor graders) and Item # 5 (discussion/action to approve to authorize a purchase order to the apparent lowest and most responsive bidder for one motor grader and sloper). He asked if the deferral for all three items could be made with one motion. Mr. Akins stated he thought that all three items could be deferred in one motion. Commissioner Thompson offered a motion to defer the following items to the meeting on May 20, 2014: Item # 2 (discussion/action to authorize a purchase order to the apparent lowest and most responsive bidder for two (2) backhoe loaders); Item # 4 (discussion/action to approve to authorize a purchase order to the apparent lowest and responsive bidder for two tandem drive motor graders); and Item # 5 (discussion/action to approve to authorize a purchase order to the apparent lowest and most responsive bidder for one motor grader and sloper). Commissioner Rushing seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Vice-Chairman Simmons, and Commissioner Ethridge voting in favor of the motion.

Chairman Nevil stated the third item under New Business was for Discussion/Action to adopt a resolution to approve the Stop-Loss Insurance for the County's Health Plan. He called on County Manager Tom Couch to initiate discussion on the matter. Mr. Couch stated final quotations have been received for the stop-loss insurance for the health plan for the 2014-2015 plan year and staff recommends the approval of the most advantageous proposal for the stop-loss insurance for the 2014-2014 health plan year. County Attorney Jeff Akins stated that the specific deductible will increase from \$75,000 to \$100,000 but there will be a lower premium. After further discussion, Commissioner Thompson offered a motion to adopt the resolution approving

stop-loss insurance as presented (See Exhibit # 2014-077). Commissioner Rushing seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Vice-Chairman Simmons, and Commissioner Ethridge voting in favor of the motion.

Chairman Nevil asked for any general comments or statements from the Commissioners. Commissioners Ethridge, Simmons, Mosley, Rushing, Thompson and Gibson thanked everyone for their hard work and dedication.

Chairman Nevil asked for comments from the staff. County Manager Tom Couch stated he was planning to have a workshop to follow up on some items that were discussed at the April 9, 2014 workshop but would send an email with the time and place. Chairman Nevil asked if there were any further comments. Hearing none, he stated 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. He stated that at the conclusion of the Executive Session, 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. § 50-14-2(1) and other applicable laws, pursuant to the advice of the County Attorney, Jeff Akins, for the purpose of consultation with the County Attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1); and for discussion or deliberation on the appointment, employment compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of public officer or employee as provided in O.C.G.A § 50-14-3 (b)(2) (See Exhibit #2014-078). Commissioner Gibson offered a motion to enter into Executive Session for the above-stated reasons. Commissioner Mosley seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Vice-Chairman Simmons, and Commissioner Ethridge voting in favor of the motion.

Chairman Nevil asked if there were any further comments from the Commissioners or Staff. Hearing none from the Board or Staff, he asked for a motion to adjourn. Commissioner Mosley offered a motion to adjourn the meeting. Commissioner Gibson seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson,

Commissioner Rushing, Commissioner Mosley, Vice-Chairman Simmons, and
Commissioner Ethridge voting in favor of the motion.

J. Garrett Nevil, Chairman

Attest: Christy Strickland, Clerk of the Board