



**Bulloch County
Board of
Commissioners
Regular Meeting**

**September 2, 2014
Estimated Time: 1 Hour & 30 Minutes
North Main Annex Community Room
Statesboro, Georgia
5:30 PM**

Meeting Function:	Board of Commissioners	Type of Meeting:	Regular Meeting
Meeting Chair:	Chairman, Garrett Nevil (Presiding)	Recorder:	Maggie Porter, HR Director
Parliamentarian:	County Attorney, Jeff Akins	Ex-Officio:	Tom Couch, County Manager; Harry Starling, Chief Financial Officer; Andy Welch, Development Services Director; Ted Wynn, Public Safety Director; Dink Butler, Transportation Director; Kirk Tatum, County Engineer; Whitney Richland, Chief Accountant; Randy Newman, Zoning Administrator; Christopher Ivey, Fire Chief; Doug Vickers, EMS Director; and Kathy Boykin, Airport Manager.

General Agenda

ITEM	RESOURCE PERSON/FACILITATOR	TIME	REFER
Call to Order; Welcome Media and Visitors	Chairman Nevil	5:30 PM	
Invocation and Pledge of Allegiance	Commissioner Gibson	5:32 PM	
Roll Call	HR Director	5:34 PM	
Zoning Agenda	Zoning Administrator	5:35 PM	Tab A
Approval of General Agenda	Chairman Nevil	6:05 PM	
Public Comments	Audience	6:07 PM	
Presentation – Statesboro FD Fire District	Statesboro Public Safety	6:20 PM	Tab B
Consent Agenda		6:45 PM	
To approve the minutes of the Regular Meeting held on August 19, 2014.	HR Director		Tab C
To approve a Resolution authorizing acceptance of roads in Williamsburg Subdivision	Roads & Bridges/Engineering/ Legal		Tab D
To approve a Resolution authorizing acceptance of Brad Lane in Martin Place Subdivision	Roads & Bridges/Engineering/ Legal		Tab E
To approve an Airport Lease Agreement with Midcoast Aviation Services, LLC and Bobby Smith	Airport/Legal		Tab F
To approve a Resolution to adopt the Bulloch County Comprehensive Plan Update	County Manager		Tab G
To approve a Resolution to adopt policies for services provided by Bulloch County EMS.	Public Safety/EMS/Finance		Tab H
Commission and Staff Comments	Chairman Nevil, et al.	6:50 PM	
Adjourn	Chairman	7:00 PM	

Additional Information
Background information in Board packets

***Board of Commissioners
Agenda for
September 2, 2014
5:30 P.M.***

1. Rezone Request.....Harry Eric Thompson
2. Conditional Use Request.....Walter Ray Beasley,
George T. Beasley, and Et al
.....Agent, Jim Anderson
3. Text Amendment Request.....Bulloch County



Bulloch County Departmental Review

Agenda Item:	1	Meeting Date:	September 2, 2014
Application #:	RZ2014-026	Application Type:	Rezoning
Request:	Harry Eric Thompson submitted a request to rezone 2 parcels totaling 2.2 acres from AG-5 (agricultural 5 acres) to HC (highway commercial). He is adding onto a current home occupation that would require a numerous variances and is therefore asking for a rezone. The property is located at 19225 Hwy 80 West.		
Planning and Zoning Recommendation:	To approve with conditions by a unanimous vote.		

Applicant:	Harry Eric Thompson	Acres in Request:	2.2
Location:	19225 Hwy 80 West	Existing Lots:	2
Map #:	MS15 000004 000 & MS15 000004 001	Requested Lots:	2
Development Name:		Current Zoning:	AG-5
Future Land Use:	Suburban-corridor	Requested Zoning:	HC
Directions to Property:	Take Hwy. 80 West toward Portal. Property will be on the left just pass Akins Pond Road intersection.		

Rezone Standards	Yes	No	Comment
(1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?	x		
(2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?		x	
(3) Are there substantial reasons why the property cannot or should not be used as currently zoned?		x	
(4) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, EMS, sheriff or fire protection?		x	
(5) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?	x		
(6) Will the use be consistent with the purpose and intent of the proposed zoning district?	x		
(7) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?		x	
(8) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?	x		They have been running business as home occupation for many years.



Bulloch County Departmental Review

LAND USE PLANNING IMPACT

Future Land Use Map: The Bulloch County Joint Comprehensive Plan indicates that the property would be appropriate for suburban-corridor.

Existing Land Use Pattern: There are primarily residential commercial, and agricultural uses at adjacent and nearby properties.

Zoning Patterns and Consistency: The proposed change appears to be consistent with the zoning patterns in the nearby area.

Neighborhood Character: There is no evidence that the proposed change in zoning will injure or detract from existing neighborhoods.

Property Values: adjacent property values should not be affected due to the change on zoning.

WATER / SEWER IMPACT

All properties are subject to on-site septic tank installation and a community water system approval as required by the County Health Department. Soil types and proposed lot sizes are compatible and adequate for septic tank installation.

SOLID WASTE IMPACT

None expected.

ENVIRONMENTAL IMPACT

No impact is expected.

FIRE SERVICE

Fire service is available within 4 miles (response time 5 minutes) from the Statesboro Fire Department. No additional resources are required.

TRAFFIC IMPACT

The capacity and general condition of the roads accessing the proposed development is good. Hwy. 80 is a state maintained paved road.

SCHOOL IMPACT

Minimal impact is expected on existing schools.

PARKING, ROAD AND DRAINAGE IMPACT

The proposed change should not create a significant traffic impact. Currently, all drainage is natural with no known man-made improvements to the existing development other than roadside drainage ditches and culverts. The accessways/driveways to the site should have proper roadside drainage measures.

E-911 AND EMERGENCY MANAGEMENT IMPACT

Street addresses can be easily assigned. The County Emergency Management Director should be contacted prior to construction.



Bulloch County Departmental Review

LAW ENFORCEMENT IMPACT

Response time from Bulloch County Sheriff's Department is approximately 6 minutes. However, depending on patrolling patterns and the location of deputies at a given time, this response may be greater or lesser.

FINAL STAFF RECOMMENDATION

The subject property appears suitable for the proposed rezone.

The staff recommends approval of the rezone request with the following condition.

Because there are residential uses nearby, the installation of screening buffer compliant with sections 405 and 407 (see below) shall be required, except that due to the nature of the lot configuration, and the ownership of one of the contiguous lots by the applicant, such screening buffer shall be limited to:

- a) the northwest, southwest and southeast boundaries where the three sides of the existing property surround the shop and service area (i.e. no extension along the lots lines leading to U.S. Highway 80).
- b) The width of the buffer shall be reduced to ten (10) feet instead of twenty-five (25) feet.
- c) The applicant is given the option of opaque fencing or hedges or natural plantings, but is not required to do both. However, the height requirements shall remain the same.

Section 405. Required buffers in commercial and industrial districts.

In any commercial or industrial zoning district where a lot abuts any residential district or any adjacent residential use, a 25-foot wide buffer shall be provided with screening as specified in Section 407. Offstreet parking associated with such uses shall be governed by this same provision.

Section 407. Screening required.

Whenever screening is required by this appendix, a durable masonry wall, or fence and hedge of sufficient opacity to provide a visual blind designed to be compatible with the character of adjoining properties, shall be provided. Such fences and/or walls shall be at least six feet in height, but no greater than eight feet in height, measured from the ground along the common lot lines of the adjoining properties. When hedges or natural plantings are used (together with the fence prescribed) to form the required screening, the minimum sufficient opacity shall be deemed to require no less than three feet of plantings and/or hedge in the area immediately adjacent to the fence, measured along the ground surface from the fence to the inside border of such plantings and/or hedge plantings. Hedges of comparable natural plantings shall be of such variety that an average height of at least six feet could be expected by normal growth within no later than two years from the time of planting. The building official shall make determination of the degree of satisfactory completion of required screening according to a common standard; the building official's decisions in each instance may be appealed to the planning and zoning commission.



Bulloch County Departmental Review

Agenda Item:	2	Meeting Date:	September 2, 2014
Application #:	CU2014-027	Application Type:	Conditional Use
Request:	Walter Ray Beasley, George Terrell Jr., and ETAL submitted an application requesting a conditional use to construct a Church. The property consists of 10 acres and is located on Burkhalter Road. Jim Anderson is acting as agent.		

Applicant:	Walter Ray Beasley, George Terrell Jr., and ETAL	Acres in Request:	10
Location:	Burkhalter Road	Existing Lots:	2
Map #:	107 000014 006 & 107 000014 009	Proposed lots:	1
Future Land Use:	Suburban-Neighborhood	Current Zoning:	R-40
Directions to Property:	Take Hwy 80 East toward Brooklet and turn right onto Pretoria-Rushing Road. At four way stop turn right onto Burkhalter Road and property will be on the right.		
Planning and Zoning Recommendation:	To approve with conditions by a unanimous vote.		

Conditional Use Standards	Yes	No	Comment
(1) Is the type of street providing access to the use adequate to serve the proposed conditional use?	X		
(2) Is access into and out of the property adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?		X	An access study should be reviewed by county staff.
(3) Are public facilities such as schools, EMS, sheriff and fire protection adequate to serve the conditional use?	X		
(4) Are refuse, service, parking and loading areas on the property located or screened to protect other properties in the area from such adverse effects as noise, light, glare or odor?	X		If recommended conditions are followed.
(5) Will the hours and manner of operation of the conditional use have no adverse effects on other properties in the area?	X		
(6) Will the height, size, or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?	X		
(7) Is the proposed conditional use consistent with the purpose and intent of the zoning ordinance?	X		



Bulloch County Departmental Review

LAND USE PLANNING IMPACT

Future Land Use Map: The Bulloch County Joint Comprehensive Plan indicates that the property would be appropriate for suburban-neighborhood.

Existing Land Use Pattern: There are primarily residential and agricultural uses at adjacent and nearby properties. However, there are planned developments encroaching the subject property.

Zoning Patterns and Consistency: The proposed change appears to be consistent with the zoning patterns in the nearby area.

Neighborhood Character: There is no evidence that the proposed change in use should injure or detract from existing neighborhoods.

Neutral Impact: A church is compatible with emerging residential development in this area of the County according to the Future Land Use Plan.

FISCAL/ECONOMIC IMPACT

Property Values: Values for adjacent properties may be enhanced by the proposed development provided aesthetic restrictions are placed in zoning conditions, and, if enforcement of County land use and property maintenance regulations is applied. However, failure to enforce any property standards is likely to result in stagnant or lower property values.

Neutral Impact: While the property is expected to be exempt from real or personal property taxes, the service impact is neutral.

SCHOOL IMPACT

Neutral Impact: As a community facility, there is no public school impact.

WATER / SEWER IMPACT

Water System: A privately-owned, public system meeting state EPD standards will be required.

Sewerage: On-site disposal is proposed. Septic tank installation approval as required by the County Health Department or community system by EPD.

Neutral Impact: The presence of hydric soils may pose limitations for septic tanks.

SOLID WASTE IMPACT

Nearest Existing Solid Waste and Recycling Centers: Pretoria Recycling Center.

Waste Generation Estimate (4 tons per household per year): 200 tons annually at build out.

Neutral Impact: Private collection services are available. No significant impact on the County's Solid Waste Management Plan or Ordinance requirements is expected. However, there may be a capacity impact at the Five-Points Convenience Center located near the development.

ENVIRONMENTAL IMPACT

Wetlands and Flood Zones: Development does include wetland areas. Wetland delineation will have to be approved by the Army Corp of Engineers.



Bulloch County Departmental Review

Stormwater: The impervious surface ratio based on the proposed number of rooftops and paving is estimated at 23%. The plans propose one stormwater detention pon on the property.

Aquifer Recharge Areas: There are no known areas affected.

Water Supply Watersheds: There are no known watersheds affected.

River Corridors: There are no known corridors affected.

Air: This project is not expected to create an air pollution nuisance.

Soils: The property consists of a number of different types soils, some of which are suitable and other which are not suitable for development. The less suitable soils appear to be on the northwest portion of the property.

Historic or Archeological Resources: There are no known resources affected.

Resources of Regional or Statewide Importance: There are no known resources affected.

Neutral Impact: This property may be suitable for more intensive development., provided that stormwater runoff can be controlled at pre-development levels. A hydrologic analysis and stormwater management plan would need to be conducted to determine additional mitigation measures needed.

TRAFFIC AND ROAD INFRASTRUCTURE IMPACT

ITE Trip Generation Rate: 9.11 per 1,000 square feet, or 200 total trip ends per day at build out.

Proposed Road Construction in Development: None.

Parking: On-site parking is permitted pursuant to the zoning code for residential districts. There is no known provision for street parking that has been submitted by the applicant.

GDOT Road Classification for Access Road: Pretoria Rushing Road and S&S Railroad Bed Road are rural local road. Burkhalter Road is a rural minor arterial.

Bulloch Transportation Plan Classification for Access Road: Pretoria Rushing Road and S&S Railroad Bed Road are minor collector routes. Burkhalter Road is a rural minor arterial.

Condition of Access Road: Burkhalter Road is a county maintained paved road that is currently in declining condition, and substandard for the level of current development.

Drainage: The development is located in the Lotts Creek Drainage Basin. Currently all drainage is natural with no known man-made improvements to the existing development other than roadside drainage ditches and culverts. The access way/driveways to the site should have proper roadside drainage measures installed. Proper stormwater management measures will have to be installed to minimize potential flooding and pollution and pollution effects.

Negative Impact: The rezone request, in consideration of the scale of the development, would affect road infrastructure, traffic safety and drainage. An access management study according to county policies is recommended. The county should condition development to secure additional right-of-way from the developer for future planned roadway and intersection improvements at Five-Points.

E-911 AND EMERGENCY MANAGEMENT IMPACT

Street addresses can be easily assigned. The County Emergency Management Director should be contacted prior to construction.

Neutral Impact: These services would not be severely impacted.

LAW ENFORCEMENT IMPACT

Agency: Bulloch County Sheriff's Department



Bulloch County Departmental Review

Level of Service Standard (national: 0.6 per 1,000 population): Bulloch County has 33 sworn officers for road patrols. The LOS would be 43.8.

Public Safety Unit	Facility Distance / Response Time	LOS Impact or Deficiency	Intangibles
Law Enforcement (Sheriff)	5 miles, 7 minutes depending on patrolling patterns	(-.0225) field deputies per 1,000 population	Shift of 3 covers 684 square miles
Georgia State Patrol	6 miles, 8 minutes depending on patrolling patterns	NA	Post #45 located south of Statesboro on US 301

Neutral Impact: The Sheriff's Department's capabilities are already exceeding capacity. However, there are typically low impacts at churches.

EMS AND FIRE SERVICE IMPACT

Public Safety Unit	Facility Distance / Response Time	LOS Impact or Deficiency	Intangibles
Statesboro Fire Dept.	2.9 miles, 4 minutes response time	ISO Rating 3/8b	First Responders; City of Statesboro would need to be called as first responder
Brooklet Fire Dept.	4.3 miles, 6-10 minutes response time	ISO Rating 5/9	Volunteers
EMS-Rescue (County)	4.3 miles, 6 minutes response time (Brooklet or Statesboro)	(-0.109) EMT / Paramedic per 1,000 population	New Brooklet sub-station improves EMS response

Neutral Impact (Fire Service) Under Review: Response times for law enforcement, and EMS are adequate. The project is in the Statesboro Fire District and requires additional coordinated review.

RECREATION-OPEN SPACE IMPACT

Recreation Facilities: The nearest public recreation facilities are located at Mill Creek Park. No private recreation facilities have been proposed by the applicant at this time.

Level of Service (national: 6.5 acres of parkland per 1,000 pop.): Bulloch County currently has 300 acres of parkland.

Level of Service Impact Created by the Development: (-8.22) acres.

Open Space: Reserved, on-site open space has been proposed, but not finally been determined or offered.

Greenway Connections: The Bulloch County S&S Greenway is located adjacent to the northeastern edge of the development and access is proposed by the developer.

Positive Impact: There is no LOS impact. However, physical access to the Greenway pedestrian path should be restricted to a public sidewalk linkage from the frontage of the property.



Bulloch County Departmental Review

DEVELOPMENT OF REGIONAL IMPACT

None.

SUMMARY OF FINDINGS – FINAL STAFF RECOMMENDATION

Impact Summary			
Impact Factor	Positive	Negative	Neutral
Land Use Planning			X
Fiscal-Economic			
Schools			X
Water-Sewer			X
Solid Waste			X
Environmental			X
Traffic and Roads		X (Further Review)	
Emergency Management			X
Law Enforcement			X
EMS-Fire			X (Further Review)
Recreation	X		
Total	1	1	8
Local Impact Findings	Mostly neutral; no negative significant impact.		
Regional Impact Findings	Not applicable.		

The subject property does appear suitable for the development with proper mitigation measures and zoning conditions.

The staff recommends approval of the conditional use request with the following conditions:

1. Any proposed activity or use other than a church, such as a day care, nursery or school shall require approval as a separate conditional use pursuant to the Zoning Ordinance requirements.
2. Twenty-feet (20') of additional property shall be dedicated in fee simple in favor of Bulloch County along the length of the subject property along Burkhalter Road, and where applicable, Pretoria Rushing Road.
3. Submit an access evaluation pursuant to county policies, subject to the approval of the county engineer.
4. All access, driveway and parking areas serving the general public shall be paved, and have landscaped islands to form a break in the paved expanse according to a Master Landscape Plan (MLP) required below.
5. Any outdoor lighting shall be downcast and recessed, and is to be of moderate brightness.
6. **Ground** signage shall be limited to one (1) ground monument-based sign with landscaping (according the MLP), consistent with the architectural details and character of the development. **Any lighting provided for or within any signage shall not produce any glare for roadways or surrounding properties.**



Bulloch County Departmental Review

7. No building, sign, structure or object, tree or other landscape feature shall be installed, built, or allowed to grow which will impede visibility at street corners, driveways and/or intersections, pursuant to AASHTO standards for sight triangles.
8. The exterior building façade shall consist of earth tone colors, and consist of high quality building materials. ~~Metals are permitted, as long as they are not the predominant building material.~~ **Metals are permitted only for roofing, and on the side and rear exterior façades (prohibited on the front façade), provided that base or foundation landscaping is incorporated with the facades.**
9. A storm water management plan showing no off-site negative impacts shall be submitted for approval by the county engineer. Thirty (30) days prior to submitting an application to the County for a building permit, the applicant/developer shall perform and submit the results of a hydrologic analysis consistent with a Stormwater Management Plan for the entire development, based on projected build-out demonstrating conformance to the standards and best management practices of the Georgia Stormwater Management Manual - Coastal Stormwater Supplement required (sections 4-8). All stormwater infrastructure and easements installed within the development, except where located in publicly dedicated street and road drainage systems, shall be owned and maintained privately by the applicant/developer and private property owners.
10. The applicant/developer shall provide a Master Landscaping Plan (MLP) for base landscaping for the buildings, all parking areas and streetscape prepared by a ~~registered landscape architect~~ **qualified landscape designer**, which specifies the type and size of proposed vegetation, as well as identifying the location of existing vegetation to be retained, pursuant to this set of conditions. All mechanical structures (except for utility structures) and waste containers shall have a landscape buffer or enclosed fencing from grade equal to the height of the structure, as approved by the Zoning Administrator. An inspection shall be made by the Zoning Official of all landscape plantings to assure compliance with plan and that correct installation and condition. ~~A continuous landscaped street buffer is required to be installed by the applicant/developer, along Burkhalter Road contiguous to the right of way for the length of the development that is with a fifteen feet (15') wide buffer and shall consist of multi-species shade trees spaced no less than seventy five (75') feet apart (minimum three inch caliper) combined with a dense, compact evergreen planting screen capable of growing to a height of at least four (4') feet from the road grade within three (3) years. The evergreen planting screen, may be substituted with grassed or sodded berms, or decorative fencing.~~

Participants

Tom Couch, County Manager; Andy Welch, Co. Planner; and Randy Newman, Zoning Admin.



Bulloch County Departmental Review

Agenda Item:	3	Meeting Date:	September 2, 2014
Application #:	TA2014-028	Application Type:	Text Amendment
Applicant:	Bulloch County		
Summary:	Bulloch County has filed an application requesting a text amendment to Appendix-C of the Code of Ordinances to add Article 19-IGO, Interstate Gateway Overlay District ("IGO District"). The proposed IGO District includes properties in the vicinity of the I-16/Highway 301 interchange. The proposed IGO District will not change the underlying zoning district of the affected properties, but it will impose additional development standards and requirements on the affected properties.		
Planning and Zoning Recommendation:	To approve with a unanimous vote.		

Text Amendment Standards	Yes	No	Comment
(1) Is the proposed text amendment compatible with the purpose and intent of the Comprehensive Plan?	X		
(2) Is the proposed text amendment consistent with the purpose and intent of the Zoning Ordinance?	X		
(3) Will adoption of the amendment further the protection of the public health and safety or general welfare?	X		

The staff recommends approval of the text amendment.

**BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY**

DEPARTMENT MAKING REQUEST:
Public Safety

MEETING DATE: September 5, 2014

RESOLUTION ATTACHED?	YES	
	NO	x

REQUESTED MOTION OR ITEM TITLE:
Statesboro Fire Department will update Commissioners on fire district progress to date.

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED:
Statesboro Fire department ask for time to address the Commission on Fire District Progress to date.

AGENDA CATEGORY (CHECK ONE)		FINANCIAL IMPACT STATEMENT					
PRESENTATION	x	BUDGETED ITEM?	YES		AMENDMENT REQUIRED?	YES	
			NO			NO	x
PUBLIC HEARING		ATTACH DETAILED ANALYSIS, IF NEEDED:					
CONSENT							
NEW BUSINESS							
OLD BUSINESS							
OTHER							

APPROVED FOR AGENDA

DEPARTMENT DIRECTOR		PURCHASING OFFICER		OTHER		COUNTY CLERK		COUNTY STAFF ATTORNEY		COUNTY MANAGER	
YES	x	YES		YES		YES		YES		YES	
NO		NO		NO		NO		NO		NO	
INITIAL ELW		INITIAL		INITIAL		INITIAL		INITIAL		INITIAL	
DATE 8-27-2014		DATE		DATE		DATE		DATE		DATE 8.28.14	

COMMISSION ACTION AND REFERRAL (Box 9)

APPROVED		DATE TO BE RETURNED TO AGENDA
DENIED		
DEFERRED		
OTHER		
		NOTES

August 19, 2014
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. Chairman Nevil also 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: Vice-Chairman Simmons, Commissioner Ethridge, Commissioner Rushing, Commissioner Thompson, Commissioner Gibson, and Commissioner Mosley. The following staff were present: County Manager Tom Couch, County Attorney Jeff Akins, Developmental Services Director Andy Welch, Transportation Director Dink Butler, Chief Accountant Whitney Richland, Sheriff Lynn Anderson, County Engineer Kirk Tatum, Chief Financial Officer Harry Starling, Public Safety Director Ted Wynn, Tax Assessor John Scott, Tax Commissioner James Deal, Elections Superintendent Pat Lanier Jones, and Zoning Administrator Randy Newman.

After Roll Call, Chairman Nevil asked for amendments or modifications of the General Agenda. County Manager Thomas Couch asked that the General Agenda be amended by (1) transferring the Public Hearing for the Comprehensive Plan to discussion and/or action under New Business as Item #2; (2) adding New Business Item #3 for discussion and/or action to approve a sole source purchase from Election Systems & Software for a Ballot on Demand System (Balotar); and (3) adding Item #8 to the Consent Agenda to approve the appointment of Dr. Charles Patterson of Georgia Southern University to the Coastal Regional Commission Board of Directors representing Bulloch County. Hearing no further amendments or modifications, Commissioner Ethridge offered a motion to approve the General Agenda with the modifications suggested by the County Manager. Commissioner Gibson seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge voting in favor of the motion.

Chairman Nevil called on County Manager Thomas Couch who stated that the Board would conduct a Public Hearing on the millage rate, which was advertised under the heading "Notice of Property Tax Increase" in accordance with the requirements of O.C.G.A. §48-5-32.1. Chairman Nevil called for a motion to open the Public Hearing for citizen input. Commissioner Gibson offered a motion to open the Public Hearing. Commissioner Mosley seconded the motion, and it carried unanimously with Commissioner Mosley, Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Simmons, and Commissioner Ethridge voting in favor of the motion. Chairman Nevil called for comments and/or questions from the public. There were no comments from the public. With no input from the public, Chairman Nevil called for a motion to close the Public Hearing. Commissioner Mosley offered a motion to close the Public Hearing. Commissioner Simmons seconded the motion, and it carried unanimously with Commissioner Simmons, Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, and Commissioner Ethridge voting in favor of the motion.

Chairman Nevil stated that the next item of business was to approve the 2014 millage rates as follows: (1) Bulloch County Board of Commissioners M&O would be 10.440 mills; (2) Statesboro Special Fire Tax District would be 1.800 mills; (3) Bulloch County Board of Education M&O would be 9.848 mills; and (4) Bulloch County Board of Education Bond would be 0.450 mills. After hearing no further discussion, Commissioner Thompson offered a motion to approve the levy of the millage rates as presented for calendar year 2014 (See Exhibit #2014-143). Commissioner Simmons seconded the motion, and it carried unanimously with Commissioner Simmons, Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, and Commissioner Ethridge voting in favor of the motion.

Chairman Nevil asked for public comments from the audience at large or in writing. There was no one present for public comments and nothing had been submitted in writing.

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 August 5, 2014; (2) to approve an alcoholic beverage license for package

retail beer and wine sales to Mehul Patel of Jai Shivananda Inc., doing business as Mill Creek #1, located at 1163 Highway 24; (3) to approve the re-appointment of Margie Pevey-Shuman to another three year term on the Coastal Regional Commission's Aging Services Advisory Committee; (4) to approve Resolution #2014-15 authorizing Reimbursement for Indigent Cremation or Interment (See Exhibit #2014-144); (5) to approve Resolution #2014-16 authorizing the Heath Department's Environmental Fee Schedule (See Exhibit #2014-145); (6) to approve an amendment to Section 8-26 of Article II of Chapter 8 of the Bulloch County Code of Ordinance (See Exhibit #2014-146); and (7) to approve Resolution #2014-17 authorizing Worker's Compensation coverage for Volunteers and Elected Officials (See Exhibit #2014-147). Commissioner Ethridge offered a motion to approve the Consent Agenda as presented. Commissioner Mosley seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons and Commissioner Ethridge voting in favor of the motion.

Chairman Nevil stated that there was one item of Old Business which was for discussion and/or action regarding Kimberly Williams vs. Bulloch County Board of Commissioners. Chairman Nevil stated that the Superior Court has entered an order in the case reversing the decision of the Board to deny Ms. Williams' application for a conditional permit to operate a personal care home. Chairman Nevil called on Attorney Steve Rushing who represents Tyler Finch and several other land owners in the area, and he discussed several reasons why the neighbors disagree with the ruling of the Superior Court judge. County Attorney Jeff Akins stated that he thought there was a reasonable basis to appeal the order; he further advised the Board that they either needed to decide to appeal the order or to officially approve the conditional use request to operate a personal care home in compliance with the order. After further discussion, Commissioner Thompson offered a motion to authorize an appeal of the Court's order. Commissioner Rushing seconded the motion, and it carried with a vote of 4 in favor of the motion and 2 against the motion. Commissioner Thompson, Commissioner Rushing, Commissioner Ethridge, and Commissioner Gibson voted in favor of the motion. Commissioner Simmons and Commissioner Mosley voted against the motion.

Chairman Nevil stated the first item under New Business was for discussion regarding EMS billing policies. Chairman Nevil called on County Manager Thomas Couch to initiate discussion on the matter. Mr. Couch stated that the proposed draft of the EMS billing policies along with streamlined and documented procedures will aid the re-structuring and performance of revenue collection and institutes a firm fee schedule. Commissioner Thompson and Mr. Couch praised the EMS billing staff for their hard work. After further discussion, Mr. Couch stated that if the Board provides anticipated feedback, he would recommend adoption of the policies at the September 2, 2014, regular meeting.

Chairman Nevil stated the second item under New Business was for discussion and/or action to approve the resubmission of Resolution #2014-14 approving the update of the Comprehensive Plan to meet the Department of Community Affairs (DCA) requirements. Chairman Nevil called on Development Services Director Andy Welch to initiate discussion. Mr. Welch stated that the State requires communities to evaluate and report on accomplishments from their Comprehensive Plan every five years and that the update to the plan will ensure that the County maintains the Qualified Local Government status and remains eligible for State grants. After some discussion, Commissioner Gibson offered a motion to approve the resubmission of Resolution #2014-14 approving the update of the Comprehensive Plan for the DCA (See Exhibit #2014-148). Commissioner Rushing seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Rushing, Commissioner Thompson, Commissioner Ethridge, Commissioner Simmons, and Commissioner Mosley voting in favor of the motion.

Chairman Nevil stated the third item under New Business was for discussion and/or action to approve a sole source bid with Elections Systems & Software for the Baltour System. Chairman Nevil called on County Manager Thomas Couch to initiate discussion on the matter. Mr. Couch stated that voters approved Special Purpose Local Option Sales Tax funds to pay for the ballot on demand system which will lower costs for absentee voting. Elections Superintendent Pat Lanier Jones discussed the reasons for the sole source purchase of the ballot on demand system. After some discussion, Commissioner Thompson offered a motion to approve the sole source purchase of the

Baltour System from Elections Systems & Software (See Exhibit #2014-149). Commissioner Ethridge seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Ethridge, and Commissioner Simmons voting in favor of the motion.

Chairman Nevil called for general comments or statements from the Commissioners. Commissioners Ethridge, Simmons, Mosley, Rushing, Thompson and Gibson thanked the staff for their hard work. Commissioner Rushing discussed the Splash in the Boro logo on the water tank at the I-16 industrial park being too small to see from the Interstate.

After some discussion, Chairman Nevil asked for comments from the 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. Commissioner Rushing seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Ethridge, and Commissioner Simmons voting in favor of the motion.

J. Garrett Nevil, Chairman

Attest: Thomas M. Couch, County Manager

**BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY**

DEPARTMENT MAKING REQUEST (Box 1) Roads & Bridges/Engineering/Legal	MEETING DATE (Box 2) September 2, 2014		
	RESOLUTION ATTACHED? (Box 3)	YES	X
		NO	

REQUESTED MOTION OR ITEM TITLE (Box 4)

Resolution Authorizing Acceptance of Roads in Williamsburg Subdivision

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED (Box 5)

The developer has requested that the County accept dedication of and title to the roads in Williamsburg Subdivision. As indicated in the attached memorandum, County Engineer Kirk Tatum and Area Road Superintendent Therman Fail have inspected these roads and determined that they comply with all County requirements. Adoption of the attached resolution will implement acceptance of these roads and authorize Chairman Nevil to accept a deed for these roads on behalf of the County.

AGENDA CATEGORY (CHECK ONE) (Box 6)		FINANCIAL IMPACT STATEMENT (Box 7)					
PRESENTATION (6a)		BUDGETED ITEM? (7a)	YES		AMENDMENT REQUIRED? (7b)	YES	
			NO	X		NO	X
PUBLIC HEARING (6b)		ATTACH DETAILED ANALYSIS, IF NEEDED (7c)					
CONSENT (6c)	X						
NEW BUSINESS (6d)							
OLD BUSINESS (6e)							
OTHER (6f)							

APPROVED FOR AGENDA (Box 8)											
DEPARTMENT DIRECTOR		PURCHASING OFFICER		OTHER		COUNTY CLERK		COUNTY STAFF ATTORNEY		COUNTY MANAGER	
YES		YES		YES		YES		YES	✓	YES	✓
NO		NO		NO		NO		NO		NO	
INITIAL		INITIAL		INITIAL		INITIAL		INITIAL	Op6	INITIAL	✓
DATE		DATE		DATE		DATE		DATE	8/25/14	DATE	8.28.14

COMMISSION ACTION AND REFERRAL (Box 9)	
APPROVED	DATE TO BE RETURNED TO AGENDA
DENIED	
DEFERRED	NOTES
OTHER	

Memorandum

To: Jeff Akins

From: Kirk Tatum

Subject: Williamsburg Subdivision

Date: August 4, 2014

Area Road Superintendent Therman Fail and I have performed an inspection of the following roads in Phase I of Williamsburg subdivision:

Raleigh Court
Tavern Lane
Colfax West Road

We inspected the roads and rights-of-way with regard to future maintenance by the county. In our opinion the roads are satisfactory for acceptance by the County.

Please let me know if you have any questions

**STATE OF GEORGIA
COUNTY OF BULLOCH**

THE BULLOCH COUNTY BOARD OF COMMISSIONERS

RESOLUTION # 2014 - ____

WHEREAS, Section 6.5 of Appendix B-Subdivision Regulations of the Code of Ordinances of Bulloch County, Georgia provides that "the county shall not accept title to or assume responsibility for maintaining any street until at least one (1) year after the street has been paved and until at least 50% of the lots have been built upon"; and

WHEREAS, the streets described in Exhibit "A" attached hereto and incorporated herein by reference have been paved for at least one (1) year and at least 50% of the lots in the subdivisions where said streets are located have been built upon; and

WHEREAS, the County Engineer has inspected said streets and determined that they comply with Bulloch County's standards, specifications, and regulations; and

WHEREAS, out of public necessity and for the good of the citizens of Bulloch County, the Bulloch County Board of Commissioners desires to accept the dedication of and title to said streets on behalf of Bulloch County;

NOW THEREFORE, BE IT RESOLVED that the Bulloch County Board of Commissioners hereby accepts the dedication of and title to those subdivision streets described in Exhibit "A," which is attached hereto and incorporated herein by reference, and further hereby authorizes the Chairman of the Bulloch County Board of Commissioners to accept and authorize the recording of deeds from the owners of said streets conveying title in same to Bulloch County.

SO BE IT RESOLVED this 2nd day of September, 2014.

**BOARD OF COMMISSIONERS OF
BULLOCH COUNTY, GEORGIA**

By: _____
J. Garrett Nevil, Chairman

Attest: _____
Thomas M. Couch, County Manager

EXHIBIT A

Those certain tracts or land lying and being in the 1209th G.M. District of Bulloch County, Georgia, known as COLFAX ROAD k/n/a COLFAX WEST ROAD, an 80-foot right-of-way, RALEIGH COURT, a 60-foot right-of-way, and TAVERN LANE, a 60-foot right-of-way, all as shown on that plat of survey entitled "Final Plat of Phase I, Williamsburg," prepared by John A. Dotson, dated March 21, 2007, recorded in Deed Book 63, page 384, Bulloch County records.

The aforesaid plat and the description thereon are by reference incorporated herein as part of this description.

Subject to easements granted for water, electricity, sewage, telephone, cable television and other utilities, if any.

**BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY**

DEPARTMENT MAKING REQUEST (Box 1)	MEETING DATE (Box 2) September 2, 2014		
Roads & Bridges/Engineering/Legal	RESOLUTION ATTACHED? (Box 3)	YES	X
		NO	

REQUESTED MOTION OR ITEM TITLE (Box 4)

Resolution Authorizing Acceptance of Brad Lane in Martin Place Subdivision

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED (Box 5)

The developer has requested that the County accept dedication of and title to the Brad Lane in Martin Place Subdivision. As indicated in the attached memorandum, County Engineer Kirk Tatum and Area Road Superintendent Therman Fail have inspected this road and determined that it complies with all County requirements. Adoption of the attached resolution will implement acceptance of this road and authorize Chairman Nevil to accept a deed for this road on behalf of the County.

AGENDA CATEGORY (CHECK ONE) (Box 6)		FINANCIAL IMPACT STATEMENT (Box 7)					
PRESENTATION (6a)		BUDGETED ITEM? (7a)	YES		AMENDMENT REQUIRED? (7b)	YES	
			NO	X		NO	X
PUBLIC HEARING (6b)		ATTACH DETAILED ANALYSIS, IF NEEDED (7c)					
CONSENT (6c)	X						
NEW BUSINESS (6d)							
OLD BUSINESS (6e)							
OTHER (6f)							

APPROVED FOR AGENDA (Box 8)

DEPARTMENT DIRECTOR		PURCHASING OFFICER		OTHER		COUNTY CLERK		COUNTY STAFF ATTORNEY		COUNTY MANAGER	
YES		YES		YES		YES		YES	✓	YES	✓
NO		NO		NO		NO		NO		NO	
INITIAL		INITIAL		INITIAL		INITIAL		INITIAL	JS	INITIAL	
DATE		DATE		DATE		DATE		DATE	8/25/14	DATE	8.28.14

COMMISSION ACTION AND REFERRAL (Box 9)

APPROVED	DATE TO BE RETURNED TO AGENDA
DENIED	
DEFERRED	NOTES
OTHER	

Memorandum

To: Jeff Akins

From: Kirk Tatum

Subject: Brad Lane in Martin Place Subdivision

Date: August 20, 2014

Area Road Superintendent Therman Fail and I have performed an inspection of Brad Lane in Martin Place Subdivision. We inspected the road and rights-of-way with regard to future maintenance by the county. In our opinion the road is satisfactory for acceptance by the County provided that we do not accept the parking areas.

Please let me know if you have any questions.

**STATE OF GEORGIA
COUNTY OF BULLOCH**

THE BULLOCH COUNTY BOARD OF COMMISSIONERS

RESOLUTION # 2014 - ____

WHEREAS, Section 6.5 of Appendix B-Subdivision Regulations of the Code of Ordinances of Bulloch County, Georgia provides that "the county shall not accept title to or assume responsibility for maintaining any street until at least one (1) year after the street has been paved and until at least 50% of the lots have been built upon"; and

WHEREAS, the streets described in Exhibit "A" attached hereto and incorporated herein by reference have been paved for at least one (1) year and at least 50% of the lots in the subdivisions where said streets are located have been built upon; and

WHEREAS, the County Engineer has inspected said streets and determined that they comply with Bulloch County's standards, specifications, and regulations; and

WHEREAS, out of public necessity and for the good of the citizens of Bulloch County, the Bulloch County Board of Commissioners desires to accept the dedication of and title to said streets on behalf of Bulloch County;

NOW THEREFORE, BE IT RESOLVED that the Bulloch County Board of Commissioners hereby accepts the dedication of and title to those subdivision streets described in Exhibit "A," which is attached hereto and incorporated herein by reference, and further hereby authorizes the Chairman of the Bulloch County Board of Commissioners to accept and authorize the recording of deeds from the owners of said streets conveying title in same to Bulloch County.

SO BE IT RESOLVED this 2nd day of September, 2014.

**BOARD OF COMMISSIONERS OF
BULLOCH COUNTY, GEORGIA**

By: _____
J. Garrett Nevil, Chairman

Attest: _____
Thomas M. Couch, County Manager

EXHIBIT A

All that certain tract or parcel of land situate, lying and being in the 1523rd G.M. District of Bulloch County, Georgia, known as BRAD LANE, a 60' right-of-way, as shown on that certain plat of survey entitled "Final Plat of Martin Place Subdivision," prepared by Marlin Nevil, Registered Surveyor, prepared for Martin Builders, Inc., survey date of February 16, 2005 and Plat Date of August 31, 2005; revised January 20, 2006 to change street name, and recorded in Plat Book 62, page 788, Bulloch County records.

LESS AND EXCEPT any and all concrete aprons, driveways, or parking areas ("concrete areas") located within said 60' right-of-way, whether such concrete areas exist at the time of this conveyance or are constructed in the future.

The aforesaid plat and the description thereon are incorporated herein as part of this description.

Subject to easements granted for water, electricity, sewage, telephone, cable television and other utilities, if any.

**BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY**

DEPARTMENT MAKING REQUEST (Box 1) <i>Airport/Legal</i>	MEETING DATE (Box 2) <i>September 2, 2014</i>		
	RESOLUTION ATTACHED? (Box 3)	YES	
		NO	X

REQUESTED MOTION OR ITEM TITLE (Box 4)

Airport Lease Agreement with Midcoast Aviation Services, LLC and Bobby Smith

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED (Box 5)

The Airport Committee has recommended approval of the attached lease agreement.

AGENDA CATEGORY (CHECK ONE) (Box 6)		FINANCIAL IMPACT STATEMENT (Box 7)							
PRESENTATION (6a)		BUDGETED ITEM? (7a)		YES		AMENDMENT REQUIRED? (7b)		YES	
				NO	X			NO	X
PUBLIC HEARING (6b)		ATTACH DETAILED ANALYSIS, IF NEEDED (7c)							
CONSENT (6c)	X								
NEW BUSINESS (6d)									
OLD BUSINESS (6e)									
OTHER (6f)									

APPROVED FOR AGENDA (Box 8)

DEPARTMENT DIRECTOR		PURCHASING OFFICER		OTHER		COUNTY CLERK		COUNTY STAFF ATTORNEY		COUNTY MANAGER	
YES		YES		YES		YES		YES	✓	YES	✓
NO		NO		NO		NO		NO		NO	
INITIAL		INITIAL		INITIAL		INITIAL		INITIAL	<i>jsa</i>	INITIAL	<i>jsa</i>
DATE		DATE		DATE		DATE		DATE	<i>8/27/14</i>	DATE	<i>8/28/14</i>

COMMISSION ACTION AND REFERRAL (Box 9)

APPROVED		DATE TO BE RETURNED TO AGENDA
DENIED		
DEFERRED		NOTES
OTHER		

STATE OF GEORGIA
COUNTY OF BULLOCH

LEASE AGREEMENT

This lease agreement is entered into this 1st day of September, 2014 by and between the BULLOCH COUNTY BOARD OF COMMISSIONERS (hereinafter referred to as "Lessor") as party or parties of the first part, and MIDCOAST AVIATION SERVICES, LLC and BOBBY SMITH, individually, (hereinafter "Lessees"), as party or parties of the second part.

WITNESSETH:

For and in consideration of the mutual covenants and obligations contained herein, the parties hereto agree as follows:

1. LEASED PROPERTY

Lessor hereby leases to Lessees upon the terms and conditions contained herein, and Lessees hereby agree to lease on the terms and conditions contained herein, Building 12, one office in the Main Terminal Building, and two tie-down spots on the ramp at the Statesboro-Bulloch County Airport (hereinafter the "Leased Property"), together with all the improvements, tenements, hereditaments, appurtenances, easements, and rights belonging or in any way appertaining thereto, including the right of ingress and egress to and from the Leased Property. Lessees agree to rent Building 12 and the one office in the Main Terminal Building in an "as is" condition.

2. LEASE TERM

The initial term of this lease shall be for a period of six (6) months, commencing on September 1, 2014 and ending on February 28, 2015. Provided, however, that if either party materially breaches any of the provisions of this lease, the other party may terminate this lease after giving the breaching party written notice of its intent to terminate and allowing the breaching party ten (10) days after receipt of such notice to cure the breach. Provided further that this lease may be terminated without such notice, at any time and for any reason, upon mutual consent of the parties. The failure to pay rent within ten (10) days after the date on which it is due shall be deemed a material breach of this lease.

3. RENTAL

Lessees shall pay to Lessor rental of Five Hundred and No/100 Dollars (\$500.00) per month. Rental payments shall be due on the first business day of each month in advance. Lessees may be granted a ten (10) day grace period to make said monthly rental payments. Lessees will be assessed a late fee of fifteen (15) percent, or Seventy-five and No/100 Dollars (\$75.00), for exceeding the ten

(10) day grace period. The initial rental payment of Five Hundred and No/100 Dollars (\$500.00) due on September 1, 2014, shall be paid prior to Lessees' occupation of the Leased Property.

3.1 Credit Card for Fuel Purchases and Rental: Lessees agree to provide Lessor with a credit card to be kept on file. Lessor will run this credit card daily in order to pay for any fuel purchased each day. Fuel may not be charged to the account. Lessor will also run this credit card on the first business day of each month to pay for monthly rental.

4. OPTION TO RENEW

Lessees shall have the option to renew this lease for an additional term of one (1) year upon expiration of the initial term of six (6) months. Provided, however, that said option to renew shall be subject to the parties' agreement on a renegotiated rate of rental for the additional one (1) year term. Failure of the parties to mutually agree on a renegotiated rate of rental shall render the option to renew null and void.

5. UTILITIES

5.1 Lessees shall maintain and pay for all utility services to the Leased Property, including but not limited to electricity, water, sewer, gas, and telephone service.

5.2 Lessees shall not install any equipment that will exceed or overload the capacity of any utility systems servicing the Leased Property. If Lessees desire to install equipment that will require additional or upgraded utility services, Lessees shall first obtain Lessor's written permission, and the additional or upgraded utility services shall be installed at Lessees' expense in accordance with plans and specifications approved in writing by Lessor.

6. IMPROVEMENTS AND REMOVAL OF FIXTURES

6.1 Lessees shall not, without the prior written permission of Lessor, make any improvements or changes that would (i) affect a vital and substantial portion of the Leased Property; (ii) change the characteristic appearance of the Leased Property; (iii) require structural or functional modifications to the Leased Property; (iv) alter the fundamental purpose of and uses contemplated for the Leased Property; or (v) affect the very realty itself.

6.2 All trade fixtures and trade apparatus owned and installed by the Lessees on the Leased Property shall, subject to Lessor's remedies upon default, remain property of Lessees and shall be removable at any time prior to the expiration of the initial lease term, or any extensions or renewals thereof.

6.3 Any improvements placed on or attached to the Leased Property by Lessees which are not removable without damage to the Leased Property shall be deemed fixtures and shall remain with

the Leased Property and pass to Lessor upon termination of this lease.

7. MAINTENANCE AND REPAIRS

7.1 Lessees have a duty to maintain the Leased Property in substantially the same condition as at the beginning of the initial lease term, normal wear and tear excepted. Lessees assume the responsibility for general repair and regular maintenance of the Leased Property.

7.2 Lessor retains the right to enter upon the Leased Property during regular business hours to inspect the Leased Property for waste and to verify that Lessees are maintaining the Leased Property in a good state of repair. Upon termination of this lease, Lessor shall inspect the Leased Property to ensure that it is returned in a good state of repair, normal wear and tear excepted.

8. TAXES

During the term of this lease, including any renewals or extensions thereof, Lessees shall be responsible for any and all taxes related to Lessees' use of the Leased Property.

9. ENVIRONMENTAL DUE DILIGENCE

During the term of this lease, and any renewals or extensions thereof, Lessees shall adhere to all federal, state, and local laws, regulations, rules, procedures, and guidelines related to protection of the environment and shall not utilize the Leased Property in any manner that would expose Lessor to any form of environmental or toxic tort liability. Lessees shall notify Lessor immediately in writing of any environmental accidents or spills. Furthermore, Lessees shall notify Lessor immediately in writing of any threatened or pending environmental actions asserted against Lessees by public or private entities.

10. INDEMNITY AND HOLD HARMLESS

10.1 Lessees shall indemnify Lessor against and hold Lessor harmless from any and all liabilities, claims, damages, losses, actions, and expenses (including, without limitation, reasonable attorney's fees) suffered or incurred by Lessor as a result of:

- (a) Lessees' failure to perform any of its obligations under this lease;
- (b) To the extent attributable to Lessees' negligence or willful misconduct, any accident, injury, or damage happening on or about the Leased Property, or resulting from the condition, maintenance, or operation of the Leased Property; or
- (c) Lessees' failure to comply with any governmental requirements, including, but not limited to, governmental requirements related to the maintenance of the

environment.

10.2 To the extent that any of the following arises from or is contributed to by any action or failure to act of Lessees, Lessees shall hold Lessor harmless from, and indemnify Lessor against, any and all claims, demands, obligations, penalties, suits, administrative actions, liabilities, settlements, damages, losses, costs or expenses (including, without limitation, reasonable attorney's and consultant's fees and expenses, investigation and laboratory fees and expenses, cleanup costs, court costs, and other litigation expenses) of every kind or nature, known or unknown, contingent or otherwise, arising out of or in any way related to:

(a) The presence, disposal, release, threatened release, removal or production of any hazardous substances, solid wastes or hazards which are on, in, from or affecting any portion of the Leased Property;

(b) Any personal injury (including wrongful death) or property damage (whether real or personal) arising out of or related to such hazardous substances, solid wastes or hazards which are on, in, from or affecting any portion of the Leased Property; or

(c) Any lawsuit or administrative action brought or threatened by any governmental authority, or any settlement reached with or order issued by any governmental authority, relating to such hazardous substances, solid wastes or hazards on, in, from or affecting any portion of the Leased Property.

10.3 For purposes of section 10 of this lease, the term "Lessor" includes the Lessor and its employees, agents, shareholders, administrators, and board members. Upon written notice and request from Lessor, the Lessees shall contest or defend any demand, claim, suit, proceeding or action with respect to which Lessees have herein agreed to indemnify Lessor. Lessees shall further reimburse Lessor upon written demand for any losses, costs or expenses incurred by Lessor in connection with any matter for which Lessees have herein agreed to indemnify Lessor. The provisions of this paragraph shall be in addition to any other rights or remedies Lessor may have against Lessees at common law, in equity, or under any other provisions of this lease.

11. INSURANCE

11.1 While the Lessor intends to maintain fire and casualty insurance on the Leased Property, such insurance shall not cover the contents of the Leased Property. The Lessees shall be responsible for maintaining any desired insurance on the contents of the Leased Property.

11.2 Lessees shall maintain commercial general liability insurance in an amount of not less than One Million Dollars and No/100 (\$1,000,000.00) per occurrence. Such insurance shall not exclude aviation-related activity at airports from its coverage; or, if the policy contains such an exclusion, Lessee shall purchase an endorsement to the policy adding such coverage. Lessor shall be

named as an additional insured on the comprehensive general liability insurance policy.

11.3 Lessees shall annually provide Lessor with satisfactory proof that the insurance policies required under this lease are in force. Lessor's failure to request such proof of insurance shall not waive Lessor's right to insist upon proof of the required insurance at any time.

12. LIMITED PURPOSE

Lessees shall use the Leased Property solely for aviation purposes and shall abide by the Standards of Operator Conduct as they now exist or may be modified in the future by Lessor. Lessees shall not use the Leased Property for any purposes unrelated to aviation without obtaining the prior written permission of Lessor.

13. ASSIGNMENT AND SUBLETTING

Lessees may not, without the prior written consent of Lessor, assign or sublet this lease or any portion thereof, or permit the use of the Leased Property by any party other than Lessees. Lessor's consent to one or more assignments or subleases shall not constitute a waiver of this provision by Lessor. Any assignees or subtenants permitted by Lessor shall become directly liable to Lessor for all obligations under this lease, but this shall not relieve Lessees of their liability to Lessor for all obligations under this lease. Any sale of the business entity that is one of the Lessees herein shall have the same effect as an assignment under this paragraph, and Lessor may consent to but shall not be obligated to accept any assignment of this lease to the new individual owner or owners. If Lessor chooses not to accept an assignment of this lease to the new owner or owners, then Lessor may terminate this lease immediately without any further obligation hereunder.

14. RIGHTS CUMULATIVE

All rights, powers, and privileges conferred upon the parties by this lease shall be cumulative but not restrictive to those given by law.

15. CONSTRUCTION OF THIS AGREEMENT

This lease shall be construed and interpreted in accordance with the laws of the State of Georgia. The interest in the Leased Property created herein shall be deemed a usufruct and not an estate for years or a leasehold estate.

16. SERVICE OF NOTICE

All notices required by law or by this lease to be given to the parties shall be given by depositing same in registered or certified U.S. Mail, postage prepaid, and addressed as follows:
For the Lessees:

MidCoast Aviation Services, LLC and Bobby Smith
31093 Highway 23 North
Collins, Georgia 30421

For the Lessor:

Bulloch County Board of Commissioners
Attn: County Manager
P.O. Box 347
Statesboro, Georgia 30459

17. QUIET ENJOYMENT

Lessor hereby covenants to permit Lessees quiet enjoyment of the Leased Property during the term of this lease, and any renewals or extensions thereof, so long as Lessees shall fulfill their obligations under this lease.

18. SUCCESSORS AND ASSIGNS

This lease shall be binding upon and inure to the benefit of the Lessor and the Lessees and their respective successors and assigns.

19. TIME OF THE ESSENCE

In all instances where Lessees are required by the terms and provisions of this lease to pay any sum or do any act at a particular time or within any indicated period, it is understood and agreed that time is of the essence.

20. JOINT AND SEVERAL LIABILITY

The Lessees shall be jointly and severally liable for all their obligations under this lease.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals.

[SIGNATURES ON NEXT PAGE]

LESSOR:

LESSEES:

BULLOCH COUNTY BOARD
OF COMMISSIONERS

MIDCOAST AVIATION SERVICES, LLC

By: _____
J. Garrett Nevil, ,Chairman

By: _____

Attest: _____
Thomas M. Couch, County Manager

Attest: _____

BOBBY SMITH

By: _____
Bobby Smith

BULLOCH COUNTY BOARD OF COMMISSIONERS AGENDA ITEM SUMMARY

DEPARTMENT MAKING REQUEST (Box 1) County Manager	MEETING DATE (Box 2) September 2, 2014 RESOLUTION ATTACHED? (Box 3) <table border="1" style="float: right; border-collapse: collapse;"> <tr> <td style="width: 50px;">YES</td> <td style="width: 50px;">X</td> </tr> <tr> <td>NO</td> <td></td> </tr> </table>	YES	X	NO	
YES	X				
NO					

REQUESTED MOTION OR ITEM TITLE (Box 4)

Motion to approve the resolution to adopt the Bulloch County Comprehensive Plan Update.

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED (Box 5)

The Department of Community Affairs recently approved the Bulloch County Comprehensive Plan update. The County is required to pass a resolution adopting the approved Comprehensive Plan Update.

AGENDA CATEGORY (CHECK ONE) (Box 6)	FINANCIAL IMPACT STATEMENT (Box 7)													
PRESENTATION (6a) PUBLIC HEARING (6b) CONSENT (6c) X NEW BUSINESS (6d) OLD BUSINESS (6e) OTHER (6f)	BUDGETED ITEM? (7a) <table border="1" style="float: right; border-collapse: collapse;"> <tr> <td style="width: 50px;">YES</td> <td style="width: 50px;">X</td> </tr> <tr> <td>NO</td> <td></td> </tr> </table>	YES	X	NO		AMENDMENT REQUIRED? (7b) <table border="1" style="float: right; border-collapse: collapse;"> <tr> <td style="width: 50px;">YES</td> <td style="width: 50px;">X</td> </tr> <tr> <td>NO</td> <td></td> </tr> </table>			YES	X	NO		ATTACH DETAILED ANALYSIS, IF NEEDED (7c)	
YES	X													
NO														
YES	X													
NO														

APPROVED FOR AGENDA (Box 8)

DEPARTMENT DIRECTOR		PURCHASING OFFICER		OTHER		COUNTY CLERK		COUNTY STAFF ATTORNEY		COUNTY MANAGER	
YES	X	YES		YES		YES		YES		YES	✓
NO		NO		NO		NO		NO		NO	
INITIAL	JAW	INITIAL		INITIAL		INITIAL		INITIAL		INITIAL	cc
DATE	8/26/14	DATE		DATE		DATE		DATE		DATE	8.28.14

COMMISSION ACTION AND REFERRAL (Box 9)

APPROVED	DATE TO BE RETURNED TO AGENDA
DENIED	
DEFERRED	NOTES
OTHER	

BULLOCH COUNTY

RESOLUTION _____

RESOLUTION TO ADOPT

WHEREAS, Bulloch County has completed the five year Comprehensive Plan update for the period of 2014-2019, and

WHEREAS, this Comprehensive Plan update was prepared in accordance with the Minimum Planning Standards and Procedures for Local Comprehensive Planning established by the Georgia Planning Act of 1989 and was submitted to the Coastal Regional Commission and has met the requirements of the Department of Community Affairs.

BE IT THEREFORE RESOLVED, that Bulloch County does hereby adopt the five year Comprehensive Plan Update 2014 – 2019.

BY: _____
Chairman

ATTEST: _____
Clerk

DATE: _____



BULLOCH COUNTY BOARD OF COMMISSIONERS AGENDA ITEM SUMMARY

DEPARTMENT MAKING REQUEST: Public Safety/EMS/Finance	MEETING DATE: 09.02.14				
	RESOLUTION ATTACHED? <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px;">YES</td><td style="width: 20px;">X</td></tr><tr><td>NO</td><td></td></tr></table>	YES	X	NO	
YES	X				
NO					

REQUESTED MOTION OR ITEM TITLE:

Discussion and/or Action to dispense with the reading and authorize a resolution to adopt policies for services provided by Bulloch County EMS.

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY:
 Please find attached a final draft of proposed EMS billing policies, previously discussed at the 08.19.14 Board of Commissioners meeting. The adoption of such policies along with streamlined and documented procedures will aid the re-structuring and performance of revenue collection. A particular focus is with regard to handling delinquent accounts and write-offs. It also institutes a firm fee schedule. Adoption is recommended.

AGENDA CATEGORY	FINANCIAL IMPACT STATEMENT					
(CHECK ONE)	BUDGETED ITEM?	YES	N	AMENDMENT OR TRANSFER REQUIRED?	YES	N
		NO			NO	
PRESENTATION				ATTACH DETAILED ANALYSIS, IF NEEDED: The proposed collection methods for delinquent accounts may produce additional marginal revenue, but it cannot be projected until after such policies are adopted.		
PUBLIC HEARING						
CONSENT	X					
NEW BUSINESS						
UNFINISHED BUSINESS						
OTHER						

AGENDA ITEM REVIEW AND APPROVAL											
DEPARTMENT DIRECTOR		PURCHASING OFFICER		OTHER		COUNTY CLERK		COUNTY STAFF ATTORNEY		COUNTY MANAGER	
YES		YES		YES		YES		YES	✓	YES	✓
NO		NO		NO		NO		NO		NO	
INITIAL		INITIAL		INITIAL		INITIAL		INITIAL	<i>JL</i>	INITIAL	<i>LM</i>
DATE		DATE		DATE		DATE		DATE	8/28/14	DATE	8.28.14

COMMISSION ACTION AND REFERRAL	
APPROVED	DATE TO BE RETURNED TO AGENDA:
DENIED	NOTES:
DEFERRED	

**BULLOCH COUNTY BOARD OF COMMISSIONERS
RESOLUTION # _____**

TO ADOPT POLICIES FOR EMERGENCY MEDICAL SERVICES BILLING MANAGEMNT

WHEREAS, the Bulloch County Board of Commissioners desires to implement a series of administrative policies utilizing best practices for local government management according to a schedule recommended by the County Manager; and,

WHEREAS, the Bulloch County Board of Commissioners believes the implementation of such policies are prudent within the course of conducting public business; and,

WHEREAS, the Bulloch County Board of Commissioners has examined staff recommendations for requested authorizations under this resolution; and,

WHEREAS, the Bulloch County Board of Commissioners has determined, out of public necessity and for the good of the citizens of Bulloch County, that the proposed action is needed; and,

WHEREAS, the Bulloch County Board of Commissioners constitutes the governing body of the Bulloch County Board of Commissioners;

NOW, THEREFORE IT BE RESOLVED, that the Bulloch County Board of Commissioners hereby authorizes policies and procedures with regard to billing management for Bulloch County Emergency Medical Services, to be administered by the department internally, with oversight as provided within said policies as attached.

SO BE IT RESOLVED, this 2nd day of September 2014.

The undersigned hereby certifies that the attached hereto is a true copy of this Resolution duly adopted by the governing body of the County, at said meeting held at the Bulloch County Annex in Statesboro, Georgia at which a quorum was present and acting throughout, and that it has not been rescinded or modified, and is now of full force and effect.

(SEAL)

Garrett Nevil, Chairman
Bulloch County Board of Commissioners

Maggie Fitzgerald, Interim Clerk of the Board
Bulloch County Board of Commissioners



BULLOCH COUNTY

**BILLING POLICIES AND PROCEDURES FOR
EMERGENCY MEDICAL SERVICES**

TABLE OF CONTENTS

1.0	PURPOSE	3
2.0	SCOPE	3
3.0	DEFINITIONS	3
4.0	FEE SCHEDULE	4
5.0	BILLING PROCEDURES	4
6.0	PAYMENT	5
7.0	FINANCIAL HARDSHIPS	6
8.0	EXEMPTIONS	6
9.0	REFUNDS	6
10.0	CITIZEN COMPLAINTS	6
11.0	INTERNAL CONTROLS	7
12.0	PATIENT INFORMATION	7

1.0 PURPOSE

To establish billing and collection procedures for ambulance transport and emergency medical services provided by Bulloch County Emergency Medical Services (BCEMS) to recover costs for the program and to lessen the burden on taxpaying citizens who may not use the service.

2.0 SCOPE

The billing office of BCEMS is authorized to invoice for services rendered to financially responsible parties according to the fee schedule and subject policies. These policies generally apply to pre-hospital services and ancillary services provided by BCEMS.

3.0 DEFINITIONS

- a) Advanced Level of Service I (ALS I): Defined as a ground ambulance vehicle, medically necessary supplies and services and either an ALS assessment by ALS personnel or the provision of at least one ALS intervention.
- b) Advanced Level of Service II (ALS II): Defined as a ground ambulance vehicle, medically necessary supplies and services, and the administration of at least three medications by intravenous push/bolus or continuous infusion excluding crystalloid, hypotonic, isotonic and hypertonic solutions; or, as a ground ambulance vehicle, medically necessary supplies and the provision of at least one of the following procedures:
 - i. Manual de-fibrillation/cardio-version.
 - ii. Endotracheal intubation.
 - iii. Central venous line.
 - iv. Cardiac pacing.
 - v. Chest decompression.
 - vi. Surgical airway.
 - vii. Intraosseous line.
- c) Basic Level of Service (BLS): Defined as a ground ambulance vehicle, medically necessary supplies and services and either a BLS Assessment by ALS or BLS personnel or the provision of at least one BLS intervention or transport.
- d) Financially Responsible Party: The party that has responsibility for all or a portion of the patient's healthcare; includes health insurance, the patient directly, a guardian or other guarantor, or other third party that is not health insurance plan.
- e) HIPAA: The Health Insurance Portability and Accountability Act of 1996; as amended.

- f) Mileage (loaded): The number of miles for which the patient is transported in the ambulance vehicle.
- g) Special Events: Contracted stand-by services provided for athletic events, festivals, fairs and other special community events.
- h) Specialty Care: Event patients, or if a nurse is needed during transport.
- i) Non-Emergency Transports: Non-emergency inter-facility transports of patients outside of Bulloch County.
- j) Patient: A person receiving emergency medical care by BCEMS.

4.0 FEE SCHEDULE

The following is the schedule of fees and charges, effective upon the date of initial adoption, and shall be according to Medicare/Medicaid rates, which may be periodically changed by the federal government:

Service	Rate
Advanced Level of Service I (Emergency)	\$525.00
Advanced Level of Service II (Emergency)	\$575.00
Advanced Level of Service (Non-Emergency)	\$400.00
Basic Level of Service (Emergency)	\$450.00
Basic Level of Service (Non-Emergency)	\$400.00
Basic Level of Service (Multi-Patient)	\$275.00
Mileage (Loaded Per Mile)	\$13.00
Specialty Care	\$600.00
Event Coverage (Per Hour)	\$100.00
Non-Emergency Transports	\$450.00
Non-Sufficient Funds Fee	\$25.00
Research Fee (No Transcript)	\$15.00
Research Fee (Transcript)	\$25.00
Monthly Finance Charge (for invoice not paid within 60 days)	1.0% of balance per month

5.0 BILLING PROCEDURES

- a) Intake of patient information will follow department procedures for compliance with HIPAA policies.
- b) Patient care reports will be submitted to the BCEMS billing office by BCEMS paramedics and emergency medical technicians who provided the patient care, that includes proper patient information, including insurance coverage, including hospital face sheets.
- c) The BCEMS billing office will promptly file claims with insurers upon receiving appropriate information from the patient or financially responsible party.
- d) If no insurance information can be obtained, or if the patient is uninsured, they may submit an application for either a financial hardship or payment plan.

- e) Once the insurer has remitted, it will be the responsibility of the BCEMS billing office to bill the patient, or financially responsible party for remaining charges.
- f) If an insurer has submitted payment directly to the patient or financially responsible party, BCEMS billing office will amend the statement of charges accordingly.
- g) In the event that the insurer remits payment for services to the patient or financially responsible party instead of BCEMS, it shall be the responsibility of the patient or financially responsible party to remit payments to BCEMS.
- h) The BCEMS billing office will send a statement of charges on a sixty (60) day cycle.
- i) Where no application for financial hardship or waiver has been made, any outstanding account balance over sixty (60) days old will have a monthly one percent (1.0%) finance charge added.
- j) After ninety (90) days, any outstanding account balance will be classified as delinquent and sent to a collection agency selected and approved by the Board of Commissioners upon the recommendation of the BCEMS billing office, and with the approval of the BCEMS Director (or, a complaint may be filed with the Bulloch County Magistrate Court).
- k) Collection efforts will continue until the amount owed is determined to be uncollectable.
- l) The BCEMS billing office shall submit to the Chief Financial Officer monthly statements and operations reports.
- m) The BCEMS billing personnel shall have a monthly reconciliation meeting as required by the Chief Financial Officer.
- n) The Chief Financial Officer, on consultation with BCEMS will reconcile and authorize adjustments and write-offs and determine the amounts of receivables as uncollectible.
- o) Uncollectible accounts are classified, as follows:
 - i. The likelihood of collection appears remote.
 - ii. Charges in excess of amounts allowed, or adjustments made by Medicaid/Medicare.
 - iii. Uncollectible charges must be submitted in a report by the BCEMS billing office and require co-approval by the Chief Financial Officer and/or designee.

6.0 PAYMENT

- a) The patient or financially responsible party may submit appropriate payment by cash, personal check, money order or credit card.
- b) All checks rendered with non-sufficient funds (NSF), will have the authorized fee added to their account balance.
- c) Payments may be made in-person, by United States Postal Service, or by credit or debit card with available on-line methods.

7.0 FINANCIAL HARDSHIPS

- a) If a patient does not have a financially responsible party to assist in payment for services, a waiver may be granted upon application, if they are below the thresholds under the most recent poverty guidelines of the United States Department of Health and Human Services.
- b) If a patient is uninsured, or underinsured, the BCEMS billing office may offer the patient an application for a waiver, or a payment plan based on their ability to pay. Generally, if your household income is two times the HHS guidelines, you will be placed on a payment plan without additional finance charges.
- c) Patients, or financially responsible parties, who qualify for a payment plan, must agree to make a minimum payment acceptable to BCEMS.
- d) All documentation for waivers and payment plans are subject to confidentiality.

8.0 EXEMPTIONS

Exemptions for charges will be granted only if the following circumstances exist

- a) Employees, spouses or dependents that are covered under the Bulloch County Employee Health Insurance Plan.
- b) Patients transported by mutual aid agreements.

9.0 REFUNDS

- a) The BCEMS billing office shall review all requests and reconciliations for refunds and overpayments for approval by the BCEMS Director. They will then be submitted to the Finance Department in a timely basis in order to be processed.
- b) Upon review by the Finance Department, refunds will then be processed.
- c) Refunds for overpayments will be reviewed and issued within sixty (60) days.

10.0 CITIZEN COMPLAINTS

Resolution of citizen complaints shall generally be addressed by the BCEMS Billing Manager, in consultation with the BCEMS Director. If there is no resolution, or if there are complaints arising from conflicts, errors or omissions in this policy, complaints may be referred to the County Manager's office.

11.0 INTERNAL CONTROLS

The Chief Financial Officer and/or designees shall establish appropriate procedures for segregation and internal controls for all BCEMS billing activities including information technology security, billing and receivables, cash handling, deposits, refunds, adjustments and write-offs.

12.0 PATIENT INFORMATION

BCEMS shall follow all HIPAA guidelines regarding protected health information (PHI) and provide adequate training to all EMS personnel.