

October 7, 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 Robert Rushing gave the invocation, and the pledge of allegiance.

Mrs. Maggie Fitzgerald Porter, Human Resources Director recording the minutes, performed the roll call of the commissioners and staff. The following commissioners were present: Chairman Garrett Nevil, Vice-Chairman Anthony Simmons, Commissioner Walter Gibson, Commissioner Robert Rushing, Commissioner Roy Thompson, Commissioner Ray Mosley, and Commissioner Carolyn Ethridge. The following staff were present: County Manager Thomas Couch, County Attorney Jeff Akins, Developmental Services Director Andy Welch, Interim Chief Financial Officer Whitney Richland, Chief Deputy Jared Akins, Public Safety Director Ted Wynn, County Engineer Kirk Tatum, Statesboro-Bulloch County Parks and Recreation Director Mike Rollins, and Zoning Administrator Randy Newman.

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 presented Item #1 which was an application submitted by Dewese Martin requesting a Conditional Use to operate a personal care home. The property is located at 161 Indigo Road Map/Parecel #097000007 00. Ms. Gladys Hagan stated that she was fine with the conditions. Mr. Newman stated there was no one signed up to speak on the request (See Exhibit # 2014-166). With some questions from the Commissioners, Mr. Martin stated that the pond is about 100 yards from the house. Mr. Newman stated that one of the conditions is that a fence must be placed around the patio area. Without further discussion, Commissioner Rushing offer a motion to approve the Conditional Use request with conditions (See Exhibit #2014-167). 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.

Mr. Newman presented Item #2 which was an application submitted by Judy Stevens O'Neill with John Dotson acting as Agent requesting a rezone of a 45 acre parcel from R-80 (Residential 80,000 square feet) to R-25 (Residential 25,000 square feet). The property is located on Old Leefield Road Map/Parcel #135 000030 000. Mr. John Dotson gave the Board an overview of the proposed subdivision and stated that he agreed with the Conditions of the Rezone. County Manager Thomas Couch gave the Board an overview of the Conditions. Mr. Newman stated there was one person signed up to speak regarding the request (See Exhibit # 2014-168). Mr. Donald NeSmith stated that he would do whatever it takes to make the development work with the Conditions. Commissioner Thompson, County Manager Couch, Mr. NeSmith, and Mr. John Dotson discussed the amount of lots for the development, traffic impact studies, and discussed some further revisions to the Conditions. Without further discussion, Commissioner Thompson offered a motion to approve the rezone of a 45 acre parcel from R-80 (Residential 80,000 square feet) to R-25 (Residential 25,000 square feet) with conditions (See Exhibit #2014-169). 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.

Mr. Newman presented Item #3 which was an application submitted by Brandon McCormick with Don Marsh acting as Agent requesting a Conditional Use to allow for a sand/dirt pit under the definition of a natural resource development. The property is located on Martin Road Map/Parcel #082 000028 000. Mr. Newman gave the Board a letter from Mr. and Mrs. Colon Hendrix (See Exhibit #2014-170) supporting the request and a petition (See Exhibit #2014-171) opposing the request submitted by Mr. Samuel G. Oliver. Mr. Don Marsh discussed the proposed mining area, the EPD regulations for the pit, and the three Conditions including the bugger, the hours of operation, and the driveway of the property. Mr. Newman stated eight people signed up to speak on the request (See Exhibit # 2014-172). First, Ms. Cassie Justen spoke in opposition of the request, and discussed issues with EPD inspections, the safety of the children in the area, and that property values may decrease in the area. Second, Mr. Samuel G. Oliver spoke in opposition of the request, and stated that he was the attorney representing Josh Martin

and the other property owners in the area. Mr. Oliver stated that the Planning and Zoning Board voted 5-0 to deny the request and asked the Board to uphold their recommendation. Mr. Oliver also discussed how the sand pit would negatively affect the property owners with the noise, dust, and the potential that the dump trucks and equipment will mess up the dirt road. Third, Mr. Josh Martins spoke in opposition of the request, and stated that if it rains, the dump trucks would not be able to make it down Martin Road and would have to use Twin Forks Road. Mr. Martin stated that at 7:00 a.m. the school buses and the dump trucks would not be able to pass each other on the roads. Mr. Martin also stated that the EPD does not monitor the sand pit that has been located in the area for the past seven years. Fourth, Mrs. Jessica Martin spoke in opposition of the request, and stated that her recently purchased land is next to the potential sand pit site and she does not want to live next to a sand pit for the rest of her life. Mrs. Martin stated that she works nights and wouldn't be able to sleep during the day due to the noise from the dump trucks and equipment. Fifth, Mr. Wesley Parker, the Technical Engineer for the project, spoke in favor of the request, and discussed how Mr. McCormick would take care of the dirt road, the buffer, and a potential fence around the property for safety. Mr. Parker stated that there are no studies to prove that sand pits decrease property values. Sixth, Mr. Mark Justen spoke in opposition of the request, and discussed how the area is growing and being developed and that the sand pit could negatively affect property values. Seventh, Mr. Randy Thorton spoke in opposition of the request, and stated that there are only three EPD agents for the entire State monitoring sand/dirt pits, and that an agent came out to inspect the current sand pit located in the area because he called the EPD. Eighth, Mr. G.A. Malone spoke in opposition of the request, and discussed the potential negative impact on Martin Road. County Manager Thomas Couch and Commissioner Walter Gibson discussed the issues with Martin Road. Mr. Brandon McCormick discussed the timber that was removed from the property, maintaining Martin Road, building and maintaining the buffer, and stated that the sand pit would not operate when it is raining or when it has been raining. After further discussion, Commissioner Mosley offered a motion to defer the Conditional Use to allow for a sand/dirt pit under the definition of a natural resource development until the November 4, 2014, meeting (See Exhibit #2014-173). Vice-Chairman Simmons 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 closed the Public Hearings regarding Zoning and Land Use matters, and asked for amendments or modifications to the General Agenda. County Manager Thomas Couch asked that the General Agenda be amended by (1) adding Item #3 to the New Business Agenda for the discussion and/or action to authorize the County Manager and Chief Financial Officer to solicit bids for a Tax Anticipation Note (TAN). Hearing no further amendments or modifications, Commissioner Ethridge offered a motion to approve the General Agenda as amended. Vice-Chairman Simmons 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 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 Special Called Meeting and Executive Session held on September 15, 2014, and the Regular Meeting and Executive Session held on September 16, 2014; (2) to approve an Agreement with Thigpen, Lanier, Westerfield, and Deal to complete the Fiscal Year 2014 Annual Financial Report (Audit) (See Exhibit #2014-174); and (3) to approve Resolution #2014-22 accepting the terms and conditions of a grant award, and to execute and agreement with the Georgia Department of Natural Resources (See Exhibit #2014-175). Without any discussion, Commissioner Gibson offered a motion to approve the Consent Agenda as presented. 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.

Without any items of Old Business, Chairman Nevil stated the first item under New Business was for the discussion and/or action to approve a bid from R.B. Baker

Construction Company of Garden City, Georgia, in the amount of \$934,594.48 for resurfacing 7.19 miles of various County roads. Chairman Nevil called on County Manager Thomas Couch to initiate discussion on the matter. Mr. Couch stated that this bid is for resurfacing Red Hill Church Road, a portion of Portal-Rocky Ford Road, and the rest of Sinkhole Road that was not done earlier this year. Mr. Couch stated that these roads are in bad shape and will require an Open Grated Interlayer (OGI). Mr. Couch stated that the roads will be repaved with State funds and Roads SPLOST. Commissioner Thompson asked if there were any bids from local vendors. County Engineer Kirk Tatum stated that no one local can compete with R.B. Baker because they have to buy the asphalt from R.B. Baker. Without any further discussion, Commissioner Ethridge offered a motion to approve bid from R.B. Baker Construction Company of Garden City, Georgia, in the amount of \$934,594.48 for resurfacing 7.19 miles of various County roads (See Exhibit #2014-176). 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 stated the second item under New Business was for the discussion and/or action to approve a bid from R.B. Baker Construction Company of Garden City, Georgia, in the amount of \$808,092.21 for resurfacing 9.92 miles of various County roads. Chairman Nevil called on County Manager Thomas Couch to initiate discussion on the matter. Mr. Couch stated that this bid is for resurfacing Anderson Road, Old Groveland Road, and the roads in Mill Creek Estates using a conventional asphalt overlay. Mr. Couch stated that the roads will be repaved with State funds and Roads SPLOST. Without any further discussion, Commissioner Rushing offered a motion to approve bid from R.B. Baker Construction Company of Garden City, Georgia, in the amount of \$808,092.21 for resurfacing 9.92 miles of various County roads (See Exhibit #2014-177). Vice-Chairman Simmons 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 the discussion and/or action to authorize the County Manager and Chief Financial Officer to solicit bids for a Tax Anticipation Note (TAN). Chairman Nevil called on County Manager Thomas Couch to initiate discussion on the matter. Mr. Couch stated that a TAN is a short-term loan that can be used until Ad Valorem taxes are collected. Mr. Couch stated that the TAN would be 3.5 million dollars, and that the bids will be solicited from local banks. After some further discussion, Vice-Chairman Simmons offered a motion to authorize the County Manager and Chief Financial Officer to solicit bids for a Tax Anticipation Note (TAN). 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.

Without any further items of New Business, Chairman Nevil called for general comments or statements from the Commissioners. Commissioner Gibson, Commissioner Thompson, and Commissioner Rushing thanked the citizens for attending the meeting and stated that they enjoy working with everyone. Commissioner Mosley stated that he is happy to be here and that he learns something new all the time. Vice-Chairman Simmons thanked everyone for attending the meeting and stated that everyone should research property with Planning and Zoning before purchasing. Commissioner Ethridge thanked the Staff for doing their jobs and extra duties.

After some further discussion, Chairman Nevil asked for comments from the staff. County Manager Thomas Couch stated that the Board would most likely have a workshop regarding County roads on October 21, 2014. 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 Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Ethridge, and Vice-Chairman Simmons voting in favor of the motion.

J. Garrett Nevil, Chairman

Attest: Thomas M. Couch, County Manager