

January 6, 2015
Statesboro, GA

Work Session and Regular Meeting

The Board of Commissioners met at 4:30pm in the Community Room of the North Main Annex. Chairman Nevil welcomed guests and called the meeting to order.

Mrs. Olympia Gaines, Clerk of the Board, performed the roll call of the commissioners and staff. The following commissioners were present: Chairman Nevil, Commissioner Anthony Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, Commissioner Gibson and Commissioner Carolyn Ethridge (came in at 5:30pm) The following staff were present: County Manager Tom Couch, County Attorney Jeff Akins, Assistant County Manager Andy Welch, Chief Financial Officer Whitney Richland, Chief Deputy Jared Akins, Public Safety Director Ted Wynn, Sheriff Lynn Anderson, Zoning Administrator Randy Newman, Purchasing Manager Faye Bragg, and Management Analyst Cindy Steinmann.

After Roll Call, Chairman Nevil asked for amendments or modifications of the Work Session Agenda. Hearing none, Commissioner Mosley offered a motion to approve the Work Session Agenda as presented. Commissioner Simmons seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Simmons and Commissioner Mosley voting in favor of the motion.

Chairman Nevil stated the first item on the Work Session Agenda was for Discussion/Action on the Courthouse Square Use Policy. He called on Mr. Akins to initiate discussion on the matter. Mr. Akins stated he had reviewed the current policy and because of recent controversy with static displays by various groups within the community, he suggested the following amendment options to the current policy for possible consideration: (1) Continue with current policy, which allows static displays and group assemblies, but incorporate additional regulations; (2) prohibit all static displays, but allow community groups to assemble at the courthouse square; (3) only allow groups to assemble for First Friday activities; or (4) eliminate all activities including group/community assemblies and First Friday activities. Commissioner Gibson recommended striking option four, as this would be a detriment to the community. Chairman Nevil recommended that the policy remain as it is without any changes. Commissioner Simmons recommended continued review of the current policy along with additional regulations,

and then allow the matter to be brought back before the Board. Mr. Akins stated he would review the current policy and the law regarding use of public forums, and would prepare some amendments to the current policy for future consideration by the Board. Sheriff Anderson asked if the current form used to reserve the courthouse square was still needed and if it had to be reviewed by him. Mr. Couch stated he typically would prefer to sign off on the form first; however, he suggested that law enforcement sign off first in order to relate any information that may be helpful in determining approval to use the courthouse square.

Chairman Nevil stated the next item on the Work Session Agenda was for Discussion/Action on the Local Buyers Preference. He called on Mr. Couch to initiate discussion on the matter. Mr. Couch stated he had collected research data regarding local buyers preference policies from several Georgia counties and came up with the following provisions for the Board to review, but suggested narrowing the attributes down to at least four possible provisions. The provisions were listed as follows: (1) Principal local office in the county (usually with a minimum length of time- 6 months); (2) A valid business license or occupational tax certificate with the county (including municipalities inside the county); (3) Local banking relationship; (4) All local obligations paid (taxes, fees, fines); (5) 51% local ownership; (6) local ownership threshold; (7) Small business provision; (8) Point-of-sale for product/service; (9) Proof that sales taxes are paid in the county. After discussion, Mr. Couch stated that the consensus seemed to be recommendations for the following provisions: A valid business license or occupational tax certificate with the county, all local obligations paid (taxes, fees, and fines), principal local office in the county with a six month minimum length of time, and small business provision. Mr. Couch suggested that everyone review the material he presented and bring it back at a future meeting for more discussion.

Chairman Nevil stated the third item on the Work Session Agenda was for Discussion/Action on the Hotel-Motel Tax Ordinance. He called on Mr. Couch to initiate discussion on the matter. Mr. Couch stated that there has been a concern with the declining level of tax revenues and determined that the primary reason is the lack of auditing and enforcement. He stated that the County's ordinance is not as specific with regards to due dates and late penalties as other ordinances are. He suggested the following changes: (1) collecting the tax on tourist camps or campgrounds where the original ordinance exempted such collections; (2) consideration for keeping the first 3% of the tax collected which could accrue to the General

Fund. After much discussion, Mr. Akins stated that the language in the ordinance needed to be reviewed and updated to be consistent with current Georgia law. Mr. Couch suggested everyone review the material and information he presented, and he would bring it back at a future meeting for more discussion.

After a five minute recess, Chairman Nevil welcomed guests and called the meeting to order. Commissioner Thompson gave the invocation and the pledge of allegiance. Chairman Nevil stated the first item of business was the approval of the Zoning Agenda. Commissioner Ethridge offered a motion to approve the Zoning Agenda as presented. Commissioner Thompson seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Simmons, Commissioner Mosley and Commissioner Ethridge voting in favor of the motion.

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 Emmett and Wendy Sherriff requesting a Conditional Use for a personal care home. The property consists of 1.32 acres and is located at 718 Hope Baptist Church Road Map/Parcel #103 000040F000. Mr. Newman stated that Ms. Sherriff was the only person signed up to speak on the request (See Exhibit #2015-001). Ms. Sherriff stated that they would like to provide services to individuals with mental health issues, who were homeless, or who had no other resources. Ms. Sheriff stated that she was aware and understood the conditions associated with this Conditional Use request. Without further discussion, Commissioner Ethridge offered a motion to approve Emmett and Wendy Sherriff's request for a Conditional Use to operate a personal care home with conditions (See Exhibit #2015-002). Commissioner Thompson seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Simmons, Commissioner Mosley and Commissioner Ethridge voting in favor of the motion.

Chairman Nevil stated the next item of business on the agenda was the approval of the General Business Agenda. Commissioner Gibson offered a motion to approve the General Business Agenda as presented. Commissioner Mosley seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Simmons, 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. Hearing none, he stated the next item on the agenda was a presentation by Dr. Richard Cleveland on the Hens for Eggs program. Dr. Cleveland, a professor at Georgia Southern University, discussed recommending a variance for families who live on residential lots to have hens to use their eggs for personal consumption. Dr. Cleveland stated there is some confusion over the language and wording in the ordinances and asked for input from the Board concerning those families who have an interest in having hens. Dr. Cleveland presented the following factors for the Board to consider in regards to this approach: (1) Variance (individual consideration, fee revenue); (2) Lot size/layout; (3) No roosters; (4) Number of hens (per sq feet cap limit) on lots not classified as agricultural. Chairman Nevil thanked Dr. Cleveland for his presentation.

Chairman Nevil stated the next item on the agenda was to approve the Consent Agenda as follows: (1) approve the minutes of the Regular Meeting on December 16, 2014; (2) Approve appointment of Commissioner Thompson as Vice-Chairman for 2015; (3) Approve contract with Southern Eagle Officials Association (See Exhibit #2015-003). Without further discussion, Commissioner Gibson offered a motion to approve the Consent Agenda as presented. Commissioner Simmons seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Simmons, Commissioner Mosley and Commissioner Ethridge voting in favor of the motion.

Chairman Nevil called for general comments or statements from the Commissioners. The Commissioners each wished everyone a Happy New Year, thanked everyone for attending the meeting and staff for all their hard work, thanked Dr. Cleveland for his presentation. Mr. Couch reminded Commissioners of an upcoming ACCG event and asked if they were planning to attend to please confirm attendance so that this could be set up.

Hearing no further comments from the Board or Staff, Chairman Nevil stated that there was no further business expected for the open session of the regular agenda and the Board must close the meeting and enter into Executive Session to discuss Personnel Matters. Chairman Nevil called for a motion to adjourn into Executive Session in accordance with the provisions of O.C.G.A. § 50-14-3 (b) (2) and other applicable laws, pursuant to the advice of County Attorney Jeff Akins, for the purpose of discussing and deliberating on Personnel Matters. Without further discussion, Commissioner Gibson offered a motion to adjourn and enter into Executive Session to discuss and deliberate on Personnel Matters (See Exhibit #2015-004). Commissioner Ethridge

seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Simmons, Commissioner Mosley and Commissioner Ethridge voting in favor of the motion.

The meeting was reconvened, and Chairman Nevil asked if there were any further comments from the commissioners or staff. Hearing no further comments from the commissioners or staff, Chairman Nevil asked for a motion to adjourn. Commissioner Gibson offered a motion to adjourn the meeting. Commissioner Ethridge seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Simmons, Commissioner Mosley and Commissioner Ethridge voting in favor of the motion.

J. Garrett Nevil, Chairman

Attest: _____

Olympia Gaines, Clerk of the Board