

November 1, 2016
Statesboro, GA

Regular Meeting

The Board of Commissioners met at 5:30 pm in the Community Room of the North Main Annex. Chairman Nevil welcomed guests and called the meeting to order. Commissioner Mosley gave the invocation and Pledge of Allegiance.

Mrs. Olympia Gaines, Clerk of the Board, performed the roll call of the commissioners and staff. The following commissioners were present: Chairman Nevil, Commissioner Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Ethridge. Commissioner Gibson was absent. The following staff were present: County Manager Tom Couch, County Attorney Jeff Akins, Assistant County Manager Andy Welch, Chief Financial Officer Whitney Richland, Zoning Administrator Randy Newman, Solid Waste Director Fred White, Management Analyst Cindy Steinmann, Transportation Director Dink Butler, County Engineer Kirk Tatum, Statesboro-Bulloch Parks and Recreation Director Mike Rollins, Public Safety Director Ted Wynn, Code Enforcement Officer Ricky Helton, and Chief Deputy Jared Akins.

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

Chairman Nevil called on Zoning Administrator Randy Newman to present the first item of business. Mr. Newman stated the first item on the agenda was an application submitted by Rondie Lundy to rezone 5.48 acres from R-80 to AG-5. The property is located at 11245 Burkhalter Road, parcel number 122 000023 003. There was no one signed up to speak on the request (See Exhibit #2016-178). Mr. Lundy stated he is requesting the rezone because he had purchased an ISO container for storage of gardening tools and did not realize that it was not permitted in R-80. Without further discussion, Commissioner Ethridge offered a motion to approve the rezone of 5.48 acres from R-80 to AG-5. Commissioner Mosley seconded the motion and it carried unanimously with Commissioner Thompson, Commissioner Rushing,

Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion.

Mr. Newman stated the second item on the agenda was an application submitted by Aaron Hess for a conditional use to use a camper as a temporary occupancy unit during construction of a principal residence. The property is located on Lawrence Church Road, parcel number 155 000012 000. There was no one signed up to speak on the request (See Exhibit #2016-179). Mr. Hess stated that he wanted to live in his camper while his home was being built. He stated he is in support of the conditions. Without further discussion, Commissioner Mosley offered a motion to approve the conditional use to use a camper as a temporary occupancy unit during construction of a principal residence with conditions (See Exhibit #2016-180). Commissioner Rushing seconded the motion and it carried unanimously with Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion.

Mr. Newman stated the third item on the agenda was an application submitted by Allgreen Services, LLC for a conditional use to allow more than one principal use on a single lot. The property is located at 4795 Highway 301 South, parcel number 049 000012C002. There was no one signed up to speak on the request (See Exhibit #2016-181). Mr. Newman stated Allgreen Services is requesting the conditional use in order to use one of the buildings on the property as a repair shop that will service the company's trucks as well as those of outside customers. Without further discussion, Commissioner Rushing offered a motion to approve the conditional use to allow more than one principal use on a single lot with conditions (See Exhibit #2016-182). Commissioners Simmons seconded the motion and it carried unanimously with Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion.

Mr. Newman stated the fourth item on the agenda was an application submitted by Mary Foreman and Mike Henderson to rezone 4.1 acres from R-25 to GC for a Contractor's office. The property is located on Cypress Lake Road, parcel number 047B000019 000. John Dotson acted as agent. There was no one signed up to speak on the request (See Exhibit #2016-183). Mr. Newman stated the Planning and Zoning Commission recommended denial of the rezone request. He stated the current structure on the property was never completed and is not up to code. Mr. Newman stated Mr. Henderson has not moved the remaining ISO containers to the Old

Mill Riggs location as expected due to having reached the maximum ISO allotment for this property. After some discussion, Commissioner Simmons offered a motion to deny rezoning 4.1 acres from R-25 to GC for a Contractor's office. Commissioner Ethridge seconded the motion and it carried unanimously with Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion. Chairman Nevil asked if the fifth and sixth items on the agenda, which were applications from Ms. Foreman and Mr. Henderson regarding the same property for a conditional use for ISO containers and a conditional use for a Contractor's office, would need to be voted on. County Attorney Jeff Akins stated that since the application to rezone the property was denied, both the fifth and sixth items were now moot because neither ISO containers nor a Contractor's office are allowed as a conditional use in R-25, and therefore the Board does not have to vote on these items.

Mr. Nevil stated the seventh item on the agenda was an application submitted by James and Peggy Harvison for a conditional use to use a camper as a temporary occupancy unit during construction of a principal residence. The property is located at 664 Lee Road, parcel number 153 000024 002. Mr. Newman stated the Harvisons are in support of the conditions. Commissioner Ethridge offered a motion to approve the conditional use with to use a camper as a temporary occupancy unit during construction of a principal residence with conditions (See Exhibit #2016-184). Commissioner Rushing seconded the motion and it carried unanimously with Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion.

Mr. Newman stated the eighth item on the agenda was an application submitted by Lisa Hodges for a conditional use to allow more than one principal use on a single lot. The property is located at the intersection of Highway 67 and Southbend Drive, parcel numbers 108 000017E000 and 108 000017F000. There was no one signed up to speak on the request (See Exhibit #2016-185). John Dotson acted as agent. Mr. Newman stated the Planning and Zoning Commission recommended denial with a three to two vote. Mr. Dotson stated the property contains two parcels of land and the request was for a conditional use to be able to build an office building with upstairs apartments. He stated Mrs. Hodges would like to have five office suites with three being used for her personal use.

Mr. Dotson stated they would like reconsideration for the following conditions: (1) allowance for a drive-through window for tenants to drop off lease payments, etc; (2) allow access to be on Highway 67 instead of Southblend Drive and remove the requirement for an Access Study; (3) allow Mrs. Hodges to use her current landscape vendor to complete the landscape plan; (4) remove the requirement for the landscape berm; and (5) the buffer would be addressed with the placement of a fence. Mr. Couch posed questions concerning the intended use for the second parcel. Mr. Dotson stated at this time those plans were unknown.

After some discussion concerning the conditions and the proposed use for the second lot, Mr. Couch recommended the Board vote on the conditional use request but defer voting on the conditions until the December 6, 2016 meeting. Commissioner Thompson offered a motion to approve the conditional use to allow more than one principal use on a single lot and defer approval of the conditions until the December 6, 2016 meeting. Commissioner Rushing seconded the motion and it carried unanimously with Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion.

Chairman Nevil asked for public comments from the audience at large and in writing. Larry Cone asked for clarification concerning the process for the paving of Hood Road. Mr. Couch and County Engineer Kirk Tatum explained the process of road paving and what would be the next step for the residents on Hood Road. Lorrene Mithers informed the Board of the Crisis Counseling Assistance and Training Program that is available for those needing assistance in the aftermath of Hurricane Matthew.

Chairman Nevil stated the next item on the agenda was a presentation from the Hospital Authority. Mr. Ray Mckinney, Chairman of the Hospital Authority, provided a presentation on the Annual Tax Relief Contribution. Mr. Mckinney stated that he has presented Chairman Nevil the contribution check in the amount of \$838,795.45. He provided a brief overview of the 2016 Annual Report and thanked the Board.

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 held on October 18, 2016; (2) to approve the reappointment of Kathy Newton to the Board of Tax Assessors; (3) to grant approval of the 2017 alcoholic beverage renewal licenses for package retail beer and wine and pouring (beer/wine/liquor) sales to establishments with a current 2016 license (See Exhibit #2016-186);

(4) to adopt a resolution to authorize investment of proceeds into the Georgia Fund I Local Investment pool (See Exhibit #2016-187); (5) to approve a polling place agreement with Union Missionary Baptist Church (See Exhibit #2016-188). Without further discussion, Commissioner Thompson offered a motion to approve the Consent Agenda as presented. Commissioner Simmons seconded the motion and it carried unanimously with Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion.

Chairman Nevil stated the first item under New Business was for Discussion and/or Action to adopt a resolution to approve and adopt a revised and restated Personnel Policy Manual and Employee Handbook. He called on Human Resources Director Cindy Mallett and County Attorney Jeff Akins to present the proposed revisions.

Mrs. Mallett summarized a proposed revision regarding employee compensation and leave practices during inclement weather or other emergency situations. She stated that this proposed revision will make the policy manual and handbook consistent with existing and past practices.

Mr. Akins reviewed proposed revisions regarding compensatory time. He stated that the U.S. Department of Labor has issued new final regulations under the Fair Labor Standards Act (FLSA) that will increase the minimum salary for exempt employees to \$913.00 per week or \$47,476.00 annually beginning December 1, 2016. Mr. Akins stated the FLSA allows government employers to grant a nonexempt employee compensatory time off (“comp time”) at a rate of no less than one and one-half hours for each hour of overtime worked in lieu of paying employees for their overtime, and that the employee must voluntarily agree to accept comp time in lieu of payment for overtime prior to performance of the work. He stated given the new regulations a number of County employees who meet the current minimum salary and are treated as exempt employees will become nonexempt employees entitled to overtime pay as of December 1, 2016. Mr. Akins stated the proposed revisions to the Manual and Handbook increase allowed comp time accruals to the maximum amounts permitted by the FLSA. The proposed revisions also eliminate the requirement that an employee be paid for comp time if it is not used after ninety days, but the FLSA requires that an employee must be paid for any accrued comp time upon termination of employment. Mr. Akins stated that one of the departments most

affected by the new FLSA regulations is the Recreation Department, and he called on Recreation Director Mike Rollins to further discuss the issue.

Mr. Rollins stated this new FLSA regulation will greatly affect the Parks and Recreation Department due to the seasonal nature of some of the programs. He stated that several employees who are now treated as exempt will become nonexempt and will be entitled to overtime pay. Mr. Rollins stated that being able to use comp time with these employees will help the Recreation Department stay within its budget.

After some discussion, Commissioner Ethridge offered a motion to adopt a resolution to approve and adopt a revised and restated personnel policy manual and employee handbook (See Exhibit #2016-189). Commissioner Mosley seconded the motion and it carried unanimously with Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons, and Commissioner Ethridge all voting in favor of the motion.

Chairman Nevil called for general comments or statements from the commissioners and staff. The commissioners thanked everyone for attending the meeting, for their hard work, and comments. Mr. Couch asked for Board feedback and input concerning the transitional activities for elected officials and the WISE council. He also reminded everyone of the upcoming ACCG District 12 Meeting on November 9th at 4:30pm in Midway, Georgia. Mrs. Gaines reminded the Board of the Blue Mile Gateway Groundbreaking Ceremony on November 16th at 12pm. Mr. Butler informed the Board that William's Landing upgrades have been completed.

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 Mosley offered a motion to adjourn the meeting. Commissioner Simmons seconded the motion and it carried unanimously with Commissioner Ethridge, Commissioner Thompson, Commissioner Simmons, and Commissioner Mosley all voting in favor of the motion.

J. Garrett Nevil, Chairman

Attest: _____
Olympia Gaines, Clerk

