

May 6, 2008  
Statesboro, GA

The Board of Commissioners met at 5:00 p.m. in the Community Room of the North Main Annex. Chairman Nevil welcomed guests and called the meeting to order. County Manager Thomas Couch gave the invocation and the pledge of allegiance.

Mrs. Christy Strickland performed the roll call of the commissioners and staff. The following commissioners were present: Chairman Nevil, Commissioner Jackson, Commissioner Thompson, Commissioner Rushing, and Commissioner Tankersley. Commissioner Gibson arrived at 5:05 p.m. and Commissioner Simmons arrived at 5:10 p.m. The following staff was present: County Manager Thomas Couch, Staff Attorney and Parliamentarian Jeff Akins, County Planner Andy Welch, Zoning Administrator Randy Newman, Public Safety Director Ted Wynn, and Fire Chief Randy Walker.

Chairman Nevil asked for changes or modifications before approval of the General Agenda. County Manager Thomas Couch requested under the Consent Agenda to defer approval of nominations to the Hospital Authority to the May 20, 2008 meeting. Commissioner Jackson offered a motion to approve the general agenda with the modification presented by the county manager. Commissioner Tankersley seconded the motion and it carried unanimously.

The next item was the approval of the minutes of the regular meetings held April 1, 2008 and April 15, 2008 and the workshop held on April 15, 2008. Commissioner Tankersley offered a motion to approve the minutes as written. Commissioner Gibson seconded the motion and it carried unanimously.

Chairman Nevil asked for public comments. Mr. Don Thompson had filed a petition to speak to the commissioners with concerns in Pine Forest Subdivision. Mr. Thompson stated he is the President of the Homeowner's Association and needed to speak on some concerns since construction had begun on lots approximately one year ago. He presented a slide show of the subdivision and the concerns with storm water and drainage. He presented slides showing the ponds and ditches after a heavy rain. He stated the excess of the water from the pond runs off into two large culverts which then runs off and goes onto lots and is causing problems with septic tanks and excess water on the roads in some parts of the subdivision. Mr. Thomas Joyner with the Georgia Soil and Water Conservation Commission stated he has visited the site and as with many subdivisions in the county it does not meet soil and erosion standards. He stated he is willing to meet with the board of commissioners and staff to come up with solutions. Mr. Al Tolson stated he resides in Saddle Creek and there are problems with Soil and Erosion in his subdivision. He stated the builders/developers need to be held responsible for the problems. Ms. Sylvia Harris stated she resides in Country Walk and there are two residences being built on both sides and due to both lots being higher than hers all the water is running onto her lot. Mr. Jack Robinson stated he lives on Lolloby Court which is located on the other side of the pond in which Mr. Thompson spoke about. He stated he receives a lot of the excess water onto his property. Ms. Alice Vick stated she is the

Soil and Erosion Control Manager from EPD and if the county wanted to discuss the problems and find solutions to contact her. Mr. Brad Wiggins, Bulloch County Health Department, stated there is a significant difference in septic tanks now than ten years ago. Ms. Linda Hickman stated she lives on Hillwood Drive and she has had an increase in water since the fill dirt was brought in. Mr. Mike Henderson stated he is the builder Mr. Thompson spoke about. He discussed what he has done to improve the subdivision and how he has tried to help the neighbors in the area. He presented slides of the work he has done in the area. There was discussion on what requires a Land Disturbance Permit and Chairman Nevil stated the county would review the ordinance and work on resolutions.

The Consent Agenda had seven (7) items for consideration: (1) To authorize the county manager to execute a grant application on behalf of the recreation department to the Georgia Department of Natural Resources for a land and conservation fund award up to \$100,000 for the purpose of athletic field improvements at the Board of Education Facilities that would allow joint use for recreation (See Exhibit 2008-57); (2) To dispense with the reading and authorize a resolution declaring a list of county equipment as surplus and proposed for auction (See Exhibit 2008-58); (3) To dispense with the reading and authorize a resolution adopting an appendage to the Bulloch County Administrative Policies Manual to establish policies and procedures for roads and bridges (See Exhibit 2008-59); (4) To dispense with the reading and authorize a resolution adopting an appendage to the Bulloch County Administrative Policies Manual to establish policies and procedures for intergovernmental aid and assistance (See Exhibit 2008-60); (5) To adopt amendments to the county public right-of-way ordinance (See Exhibit 2008-61); (6) To dispense with the reading and authorize a resolution adopting amendments to the Bulloch County Administrative Policies Manual with regard to computers and telecommunications use (See Exhibit 2008-62); (7) To authorize the county manager to prepare and execute a professional services agreement based on a proposal in response to sole source solicitation approved by the board, from MACTEC Engineering of Atlanta, Georgia for the purpose of preparing the Bulloch County Comprehensive Plan Update based on the proposed scope of work (Exhibit 2008-63). Commissioner Tankersley offered a motion to approve the Consent Agenda. Commissioner Rushing seconded and it carried unanimously.

The first item under new business was discussion and/or action to consider a petition by the Coastal Georgia Regional Development Center to dispense with the reading and adopt an authorizing resolution accepting a proposal to provide rural public transit program. County Manager Thomas Couch stated the request had been presented in a workshop. Mr. Allen Burns and Ms. Barbara Hurst were present and discussed the advantages of having a public transit system. Ms. Hurst stated the request would cost 2.3 million dollars a year but with assistance from Human Resources and the DOT it would only cost the county approximately \$58,000 a year to operate. Ms. Hurst stated six (6) of the surrounding counties have signed. Commissioner Thompson asked if the financial report has had any changes. Mr. Couch responded that finances are still decreasing.

Commissioner Thompson offered a motion to deny the proposal due to financial reasons. Commissioner Tankersley seconded and the motion it carried unanimously.

The second item under new business was discussion and/or action to dispense with the reading and adopt an authorizing resolution to create a rural fire district special revenue fund and authorize interim financing through an interfund loan. Public Safety Director Ted Wynn and Fire Chief Randy Walker were present. After some discussion Commissioner Tankersley offered a motion to approve the resolution as presented. Commissioner Simmons seconded the motion and it carried unanimously. (See Exhibit 2008-64)

The third item under new business was discussion and/or action to consider a petition by the Ogeechee Judicial Circuit District Attorney to dispense with the reading and adopt an authorizing resolution regarding employee fringe benefits. Mr. Couch reviewed the resolution. Commissioner Simmons offered a motion to adopt the resolution. Commissioner Jackson seconded the motion and it carried unanimously. (See Exhibit 2008-65).

The fourth item under new business was discussion and/or action authorizing the county manager to prepare and execute a professional services agreement with the Georgia Department of Transportation to engage HNTB Engineering of Atlanta, Georgia to prepare the joint Statesboro-Bulloch Comprehensive Transportation Plan based on the proposed scope of work. Mr. Couch reviewed the agreement. Commissioner Jackson offered a motion to approve the agreement. Commissioner Thompson seconded the motion and it carried unanimously. (See Exhibit 2008-66)

The fifth item under new business was discussion and/or action authorizing the county manager to prepare and execute a professional services agreement, based on the recommendation of the finance committee upon the review of competitive solicitations, with Thigpen, Lanier, Westerfield and Deal of Statesboro, Georgia to prepare the annual financial report for Fiscal Years 2009, 2010 and 2011 subject to the annual approval of the Board of Commissioners. Commissioner Gibson offered a motion to approve the agreement. Commissioner Rushing seconded the motion and it carried unanimously. (See Exhibit 2008-067)

Chairman Nevil asked if there were any other comments. Commissioner Gibson offered a motion to adjourn for a brief recess then reconvene for the zoning agenda. Commissioner Rushing seconded the motion and it carried unanimously.

The meeting was reconvened at 7:00 p.m. for the Public Hearings on zoning matters. Chairman Nevil asked for any modifications before approval of the Zoning and Land Use Agenda. Commissioner Thompson offered a motion to approve the Zoning and Land Use Agenda. Commissioner Gibson seconded the motion and it carried unanimously. Chairman Nevil asked Zoning Administrator Randy Newman to present the zoning items.

Mr. Newman presented the first item on the agenda. Hayward & Jayson Cribb submitted an application request to rezone from AG-5 to R-25 (residential 25,000 square feet). The intent of the rezone is to divide the property into approximately 19 parcels for

single family dwellings. The property consists of 2 parcels totaling 18.8 acres and is located on GW Oliver Rd and Oak Ridge Point. Mr. Jim Anderson is acting as agent. Mr. Anderson stated the applicants have owned the property for 16 years and Mr. Jayson Cribb resides on the property. He stated he had received the letter from Laura Marsh concerning the covenants and that any further subdividing within the subdivision is a violation. Mr. Anderson submitted a letter from Attorney Sam Brannen stating there has already been violations of the covenants which makes the covenants null and void. Mr. Anderson stated there were several areas surrounding the proposed property that were zoned R-25. He said they would only build a minimum of 1600 square foot stick built homes. Mr. Anderson stated if the board would not approve R-25 they ask for R-80 (residential 80,000 square feet). Ms. Laura Marsh stated she is representing Clyde and Tammy Wilson who live across from the proposed property. She stated the covenants are enforceable. She submitted two petitions from the adjacent property owners opposing the R-25 and R-80 request. Mr. Ray Saxon stated he is opposed to the request and is concerned with drainage and additional traffic. Ms. Tammy Wilson stated she is opposed to an R-25 or an R-80. She stated they have agricultural animals on their property and wants the adjacent property to remain AG-5. Ms. Lisa Deloach stated that she is also opposed to the request. She stated she would like the area to remain agricultural and does not want to see additional traffic and density in the area. Mr. Justin Lee stated that he is not opposed to building an additional three houses but does not want to see anymore than that. Ms. Melissa Taylor stated she is opposed to the request and would like the area to remain agricultural. Mr. Jayson Cribb stated he would build a nice neighborhood and have covenants which state the type of houses that could be built on the lots. Commissioner Simmons made a motion to deny the rezone request. Commissioner Jackson seconded and it carried unanimously.

Mr. Newman presented the second item on the zoning agenda. Willie Lee Brown Jr. submitted an application requesting a conditional use to operate a church. The property consists of 5.4 acres and is located on Buie Driggers Road. Mr. Ronald Wilkerson Sr. is acting as agent. Mr. Wilkerson stated they are currently renting a space for church and have been looking for property for approximately 2 years. He stated they agreed with the conditions. Ms. Margie Littles was present opposing the request. She stated she is a blood relative to the property owners and feels the property should stay in the family. She stated she currently resides in Hinesville but plans to build a house on the adjacent property in the future. She stated she also feels the property is not large enough for a church. Mr. John White was present opposing the request. Linda Kimble was present opposing the request. She stated it is not an established church due to not having a name for the church or any board members. She stated she owned adjacent property and would like to build a house someday and does not want a church adjacent to her residence. Mr. Ronald Wilkerson stated the church name is True Life Ministry. David Winters, Tracy Johnson, Darien Johnson, Shantell Robertson, Yvonne Wilkerson, Kathy Wilkerson, Carolyn Wilkerson, Beverly Johnson, Christina Johnson and Lisa Smith were all present supporting the request. Commissioner Jackson offered a motion to approve

the request with the following conditions: (1) A buffer should be installed pursuant to Section 407 of the County Zoning Regulations along the property line to the east to minimize the visual impact upon the adjacent R-80 property. (2) The building façade shall consist of earth tone colors. (3) All access, driveway and parking areas serving the general public shall be constructed of either impervious pavement or aggregate base. (4) Any outdoor lighting shall be downcast and is to be of moderate brightness. (5) Signage shall be limited to one (1) ground sign with a landscaped base. (6) If paved parking is to be provided, a storm water management plan showing no off-site negative impacts shall be submitted for approval by the county engineer. (7) Prior to securing a building permit, the developer shall: (a) Dedicate in favor of Bulloch County 30 feet of right-of-way for future road paving; and, (b) At their own expense, re-grade the ditch line on the county road serving the property and install a drainage outlet or driveway pipe to be approved by the County Engineer. Commissioner Simmons seconded the motion and it carried unanimously. Zoning Sign In Sheets Exhibit #2008-68.

Chairman Nevil asked if there were any other comments from the staff or board. Commissioner Simmons offered a motion to adjourn the meeting. Commissioner Tankersley seconded the motion and it carried unanimously.

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J. Garrett Nevil, Chairman

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Attest: Thomas Couch, County Manager