

November 4, 2004
Statesboro, GA

The Board met at 6:00 p.m. in the Community Room of the North Main Annex.

Chairman Parrish welcomed the guests and called the meeting to order. Commissioner Simmons gave the invocation and the pledge of allegiance.

Ms. Evelyn Wilson performed the roll call of commissioners and staff. The following commissioners and staff were present: Chairman Parrish, Commissioner Gibson, Commissioner Mosley, Commissioner Simmons, Commissioner Smith, Commissioner Tankersley, County Manager Tom Couch, Parliamentarian and Staff Attorney Jeff Akins, Deputy Clerk Regina Smith, and Zoning Administrator Cheryl Tatum. Commissioner Deal was absent.

Mr. Arthur Howard from the Hospital Authority presented the Board with a check for \$1,297,530.97 for tax relief.

The first order of business was the approval of the workshop minutes of October 14, 2004, and the regular meeting minutes of October 19, 2004. Commissioner Gibson offered a motion to approve the minutes of the October 14 and October 19 meetings. Commissioner Mosley seconded the motion and it carried unanimously.

Next item on the agenda was the Public Hearing for zoning matters. Chairman Parrish asked Ms. Cheryl Tatum, Zoning Administrator, to present the zoning items.

Ms. Tatum stated that Tomie Humphries, as agent for Jeanette Lovett, has filed the application with the Bulloch County Zoning Department requesting a rezone from HI (Heavy Industrial) to R-40 (Residential-40,000 square foot lots) on approximately 1.0 acres. The intent of the rezone is to allow the property to be used for residential use. The property is located on Hope Baptist Church Road. The Planning and Zoning Commission unanimously recommended approval of the conditional use request with the following conditions: (1) the County will not maintain the 20' road easement, and (2) a sketch is to be submitted to the Zoning Department showing the 20' easement. No one signed up to speak in opposition to the request. Mr. Humphries was present to make the presentation. Commissioner Simmons offered a motion to approve the rezone request with the conditions. Commissioner Gibson seconded the motion and it carried unanimously.

Ms. Tatum stated Tim Freeman, as agent for Three O One, LLC, has filed the application with the Bulloch County Zoning Department requesting a conditional use permit to allow multiple buildings on one (1) parcel of land. The property consists of approximately 3.0 acres. The property is located on Highway 301 South. This was approved in July 2003; however, his time has expired. The Planning and Zoning Commission unanimously recommended approval of the conditional use request. No one signed up to speak in opposition to the request. Mr. Freeman was not present to make the presentation. Commissioner Tankersley offered a motion to approve the conditional use permit. Commissioner Simmons seconded the motion and it carried unanimously.

Ms. Tatum stated that Hayden Horton, as agent for Melissa Milsap, has filed the application with the Bulloch County Zoning Department, requesting a conditional use

permit to allow a 300 foot lattice tower to be erected on the property. The property consists of approximately 7.4 acres out of a 94 acres parcel. The property is located on Gene Walden Road. The Planning and Zoning Commission unanimously approved the conditional use request and denied the variance request for the landscaping. No one signed up to speak in opposition to the request. Mr. Jim Doss was present to make the presentation. Commissioner Smith asked if this request was reviewed by the tower consultant. Ms. Tatum stated that it was and all requirements have been met. Commissioner Tankersley offered a motion to approve the conditional use permit. Commissioner Simmons seconded the motion and it carried unanimously.

Ms. Tatum stated that Valli Gapac has filed the application with the Bulloch County Zoning Department requesting a conditional use permit to allow multiple buildings and multiple uses on one (1) parcel of land. The property consists of approximately 1.83 acres in Amberwood Subdivision. The property is located on Highway 67. The Planning and Zoning Commission unanimously recommended approval of the conditional use request. No one signed up to speak in opposition to the request. Mr. Gapac was not present to make the presentation. Ms. Tatum stated that he wanted to build another building so that he may sell automotive parts. Commissioner Tankersley asked if there would be a barrier between the business and residences. Ms. Tatum stated that there wasn't a discussion about that. There is an empty lot behind the present building. If a business was to go there, then a barrier would have to be erected. Commissioner Simmons offered a motion to approve the conditional use request. Commissioner Mosley seconded the motion and it carried unanimously.

Ms. Tatum stated that Charlotte Edwards, as agent for McCorkel Properties, LLC., has filed the application with the Bulloch County Zoning Department requesting a conditional use permit to allow multiple buildings and multiple uses on one (1) parcel of land. The property consists of approximately 10.28 acres. The intent of the conditional use is to allow for a restaurant to be reopened on the property that has lost its grandfathering rights. The property is located on Highway 301 South. The Planning and Zoning Commission unanimously recommended approval of the conditional use. No one signed up to speak in opposition to the request. Ms. Edwards was present to make the presentation. She stated that she has leased the building to a gentleman who wants to put a restaurant there. Commissioner Simmons offered a motion to approve the conditional use request. Commissioner Gibson seconded the motion and it carried unanimously.

Ms. Tatum stated that Charles Maxwell, as agent for Allene Smith, has filed the application with the Bulloch County Zoning Department requesting a rezone from R-40 (Residential-40,000 square foot lots) to R-25 (Residential-25,000 square foot lots) on approximately 80 acres. The intent of the rezone is to allow the development of a single-family residential subdivision. The property is located on the corner of Elmer Phillips Road. The Planning and Zoning Commission unanimously recommended approval of the rezone request with the following conditions: (1) the County road accessing Highway 67 will have to be paved by the developer, (2) a 25 foot buffer must be maintained next to the branch, (3) a tree buffer along the county road that accesses Highway 67 will be

required, (4) a minimum of 2 entrances will be required, and (5) all lots must be accessed internally. No one signed up to speak in opposition to the request. Mr. Maxwell was present to make the presentation. He stated that the surrounding properties were zoned HC, R-2, R-3, R-25 and AG-5. The traffic will not use Elmer Phillips Road. A second entrance would be created for emergency use. The Cone Estate wants the road paved but there are too many members to get a clear title to the property. The developer has agreed to the conditions. Commissioner Smith asked if the entrance on Highway 67 would be modified to meet D.O.T. requirements. Ms. Tatum stated that it would be coordinated with D.O.T. and she read a letter from D.O.T. stating the following conditions: (1) a deceleration lane with a 100' taper and 250' of full storage, (2) left turn lane with 100' taper and 310' of full storage, (3) an acceleration taper of 50', and (4) a drive not less than 24' wide with 50' minimum radius paved per D.O.T. Specifications to the right of way. Commissioner Smith offered a motion to approve the rezone request with the conditions along with the conditions from the D.O.T. Commissioner Gibson seconded the motion and it carried unanimously.

Ms. Tatum stated that EMC Engineering, as agent for Danny Lamonte, has filed the application with the Bulloch County Zoning Department requesting a conditional use permit to allow multiple buildings and multiple uses on one (1) parcel of land. The property consists of approximately 2.226 acres which Mr. Lamonte wishes to divide into two (2) parcels. One parcel would contain 1.265 acres and the other parcel would contain 0.962 acres. The property is located on Highway 301 North. The Planning and Zoning Commission unanimously recommended approval of the conditional use request with the following conditions: (1) a concrete pad with a visual blind will be required for solid waste collections, and (2) GA DOT approval will be required for access. No one signed up to speak in opposition to the request. Mr. Lamonte was not present to make the presentation. Commissioner Tankersley asked if there were any D.O.T. requirements. Ms. Tatum stated that there were and read a letter from the D.O.T. stating the following conditions: (1) a deceleration lane with a 100' taper and 175' of full width storage, (2) a left turn lane with 100' taper and 235' of full width storage, and (3) drive would have to be not less than 24' wide with 35' minimum radius paved per D.O.T. Specifications to the right of way. After a few minutes of discussion, the Commissioners agreed to table the issues because there were questions they needed to ask Mr. Lamonte. Commissioner Smith offered a motion to table this request until the next morning meeting. Commissioner Simmons seconded the motion and it carried unanimously.

Sign-in sheets for zoning issues are shown as Exhibit #2004 – 134.

Under the Consent Agenda were the following items for consideration: (1) approve bid to Reeves Construction for \$511,400 to resurface Cypress Lake Road, Riggs Circle, Harris Street, and Helen Court – see exhibit #2004 - 135; (2) approve bid to L.A. Waters Furniture for \$52,363 to purchase furniture for the Bulloch County Probation Office and the Ogeechee Circuit Public Defender Office; (3) approve bid to Freightliner of Savannah for \$74,599 to purchase a solid waste roll-off container truck; (4) approve bid to Rozier Ford for \$75,185.20 to purchase three trucks for Public Works and one

truck for Tax Assessors; (5) approve bid to Heil South for \$18,327.70 to purchase three automated tarp systems for Solid Waste; (6) resolution for a Professional Service Agreement/Sub Agreement with ACCG & Joan Howell – see exhibit #2004 - 136; (7) on-premise alcohol license for Yacuzza Club Latino Grill & Rodeo; and (8) board appointment – Ms. Eldonna Hilde to the Bulloch County Board of Health. Commissioner Smith offered a motion to approve the Consent Agenda. Commissioner Mosley seconded the motion and it carried unanimously.

Under Old Business was a resolution concerning addressing fees. Mr. Couch stated that the reason to change the fees was because developers were paying thousands of dollars for addresses in subdivisions. Commissioner Smith stated that addressing fees should be the same for everyone no matter how many houses were involved. Commissioner Tankersley offered a motion to approve the resolution. Commissioner Simmons seconded the motion. The motion passed with a 4 to 1 vote with Commissioner Smith voting against the motion. See exhibit #2004 - 137.

Under New Business was a certificate approving issuance of revenue bonds by the Development Authority for benefit of Georgia Southern University Housing Foundation Three, LLC. Mr. Steve Rushing explained that the bonds would be used to expand the RAC Center. The County would not be liable in any way for the repayment of the bonds. Commissioner Smith offered a motion to approve the resolution. Commissioner Gibson seconded the motion and it carried unanimously. See exhibit #2004 - 138.

Mr. Couch stated that a workshop was needed to discuss the legislative platform for the county, road projects, and finance issues. The Board agreed to hold the meeting on Tuesday, November 9th at 8:30 a.m.

Chairman Parrish stated that Jon Burns, who served on the D.O.T. Board, was elected to the State house. Mr. Rayborn Anderson is seeking the appointment to fill the seat. Commissioner Smith offered a motion to prepare a resolution stating their support for Mr. Anderson in seeking the seat on the D.O.T. Board. Commissioner Simmons seconded the motion and it carried unanimously.

Commissioner Gibson gave an update on the survey of the intersection of Highway 46 and Highway 67. The D.O.T. wrote a letter stating that the survey should be completed by November 10th.

Chairman Parrish stated that an Executive Session was needed to discuss board appointments. Commissioner Gibson offered a motion to go into Executive Session to discuss board appointments. Commissioner Tankersley seconded the motion and it carried unanimously. Commissioners Gibson, Mosley, Simmons, Smith and Tankersley voted in favor of the motion. See exhibit #2004 – 139.

Commissioner Smith offered a motion to adjourn the meeting. Commissioner Simmons seconded the motion and it carried unanimously.

Evelyn H. Wilson
ATTEST

John E. Parrish, Jr.
John E. Parrish, Jr.