Bryan County Board of Commissioners – March 11, 2025

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, March 11, 2025, in Pembroke. The following members were present: Chairman Carter Infinger, Commissioner Patrick Kisgen, Commissioner Jeff Nielsen, Commissioner Alex Floyd, Commissioner Wade Price and Commissioner Gene Wallace. Also present: County Administrator Ben Taylor, County Clerk Lori Tyson and County Attorney Aaron Kappler.

Chairman Infinger called the meeting to order at 5:30 p.m. Commissioner Floyd gave the invocation, and everyone joined in the Pledge of Allegiance.

Guests were recognized, including Clerk of Superior Court, Becky Crowe.

A motion was made by Gene Wallace and seconded by Wade Price to approve the proposed agenda, as presented. Motion carried unanimously. Vote 5:0

A motion was made by Jeff Nielsen and seconded by Alex Floyd to approve the minutes of the February 2025 meetings as presented. Motion carried unanimously. Vote 5:0

A motion was made by Alex Floyd and seconded by Patrick Kisgen to approve the **Consent Agenda**. Motion carried unanimously. Vote 5:0

1. Acceptance of a Quitclaim Deed from Frontier Communications of Georgia, LLC – Old Cuyler Corridor
2. Budget Amendments

A motion was made by Patrick Kisgen and seconded by Alex Floyd to close the regular meeting and open the Public Hearing. Motion carried unanimously. Vote 5:0

**Sara Farr-Newman**, **Brett Kohler and Amanda Clement** met with the Commissioners on the following Public Hearing Items.

* Second Reading of an Ordinance to Amend the Zoning Map for property on I G Lanier Rd, Parcel Number 014-011-06. No one was present to speak on the item.

* Second Reading of an Ordinance to Amend the Zoning Map for property located on Dunham Marsh Trail, Parcel Number 056-014. The applicant, Jake Reynolds, was present to give clarification.

* Alcohol Beverage License – Sai Shakti Package, Inc., dba Black Creek Package Store

A motion was made by Alex Floyd and seconded by Gene Wallace to close the Public Hearing and reopen the Regular Meeting. Motion carried unanimously. Vote 5:0

*** Second Reading of an Ordinance to Amend the Zoning Map for property on I G Lanier Rd, Parcel Number 014 011 06** – W K Polk is requesting to rezone a 5-acre property from the "A-5" Agricultural Zoning District to the "RR-1.5" Rural Residential Zoning District. Said property is located on I G Lanier Rd, PIN# 014-011-06. The applicant plans to complete a minor plat to subdivide for family members. A motion was made by Alex Floyd and seconded by Wade Price to approve the rezoning of Parcel # 014-011-06 from A-5 Agricultural, to RR-1.5 Rural Residential, as presented. Motion carried unanimously. Vote 5:0

*** Second Reading of an Ordinance to Amend the Zoning Map for property located on Dunham Marsh Trail, Parcel Number 056-014** – Jake Reynolds is requesting to rezone approximately 1.4 acres located on Dunham Marsh Trail, Parcel Number 056-014, from the existing "PD", Planned Development District, to the "RR-1", Rural Residential Zoning District in order to develop the property for a home. A motion was made by Patrick Kisgen and seconded by Gene Wallace to approve the rezoning of Parcel Number 056-014 from PD Planned Development District, to RR-1 Rural Residential, as presented. Motion carried unanimously. Vote 5:0

*** Alcohol Beverage License – Sai Shakti Package, Inc., dba Black Creek Package Store** – Chirag Patel, owner and manager of Sai Shakti Package, Inc., dba Black Creek Package Store, has filed an application for a Conditional Alcohol Beverage License to permit the sale of beer, wine, and distilled spirits by the package for off premise consumption. The property is located at 8835 Hwy 280, Parcel Number 0251-020. A motion was made by Gene Wallace and seconded by Wade Price to approve an alcoholic beverage license for Sai Shakti Package, Inc., dba Black Creek Package Store, for the sale of beer, wine, and distilled spirits by the package for off premise consumption, with the condition that the alcohol license is not issued until to CO has been acquired. Motion carried unanimously. Vote 5:0

**Sara Farr-Newman** met with the Commissioners on the following Non-Public Hearing issues.

*** First Reading of an Ordinance to Amend the Zoning Map for property located on Harris Trail Road, identified by Parcel Number 054-026 -** M.E. Sack Engineering is requesting to rezone approximately 4.5 acres of property identified by Parcel Number 054-026, from the existing "RR-1", Rural Residential Zoning District, to the "B-2", General Commercial Zoning District, for retail and a restaurant. In conjunction with the rezoning, variances to reduce the front setback, portions of the street yard, and portions of the rear buffer are requested. This was a first reading, so no action was required.

**Ben Taylor**, County Administrator, and **Kathryn Down**, Assistant County Administrator, met with the board on the following issues.

*** Appointment to the Bryan County LVAP Advisory Board –** The current terms of Sheriff Mark Crowe, Derrick Cowart, Wendy Futch and Assistant County Administrator, Kathryn Downs will expire on March 31, 2025. All four members have expressed their interest in serving on this board for another 2-year term. A motion was made by Alex Floyd and seconded by Wade Price to re-Appoint Sheriff Mark Crowe, Derrick Cowart, Wendy Futch and Kathryn Downs to the Bryan County LVAP Advisory Board, for an additional 2-year term, which would expire on March 31, 2027. Vote 5:0, motion carried unanimously.

*** Appointment to the Bryan County Board of Assessors -** Mr. Bob Floyd was appointed to the Bryan County Board of Assessors in March of 2019. The term for this appointment expires in March of 2025. Mr. Floyd has expressed his interest in continuing to serve on this board. A motion was made by Jeff Nielsen and seconded by Gene Wallace to re-appointment Mr. Bob Floyd to the Bryan County Board of Assessors for a term beginning March 31, 2025, and expiring on March 31, 2031. Vote 4:0, motion carried unanimously. Commissioner Floyd recused himself from the vote.

*** BCMS Regional Pump Station, Force Main, Water Main, and Gravity Change Order No. 3_-** Under the subject contract, no RPZ (Reduced PressureZone) was proposed due to two future RPZs proposed for HMGMA. However, HMGMA required water prior to the completion of the future RPZs for testing and flushing. Based on this timing of the infrastructure construction and the need to protect Bryan County's existing water infrastructure from backflow, a 12-inch RPZ has been incorporated into the subject contract. A motion was made by Gene Wallace and seconded by Patrick Kisgen to approve Change Order No. 3, allowing for an overall contract increase in the amount of $95,175.00. Vote 5:0, motion carried unanimously.

*** T&H Task Order #124 Old Cuyler Road-Database & R/W Plan Development –** In order to continue to work on required infrastructure related to increasing traffic in the north end of Bryan County, the County is committed to beginning work along the Old Cuyler Road corridor. This Task Order will provide a connection from the new GDOT interchange to Jernigan Road and ultimately out to US Hwy 80 A motion was made by Wade Price and seconded by Gene Wallace to approve Task Order #124 in the amount of $137,000 for the Old Cuyler Road-Database & R/W plan development. Vote 5:0, motion carried unanimously.

*** Oak Level Road Well Emergency Generator System and Electrical Improvements -** T&H prepared contract bid documents and associated plans for the construction of the Oak Level Road Well Emergency Generator System and Electrical Improvements and upon approval of the documents the project was subsequently advertised for construction bids. Bids were received for the project on January 9, 2025, and evaluated by T&H. One bid was received and evaluated. A motion was made by Gene Wallace and seconded by Patrick Kisgen to award the Oak Level Road Well Emergency Generator System and Electrical Improvements to J.S. Haren Company, in the amount of $335,100.00, and authorize staff to execute the necessary contract documents in order to initiate the project. Vote 5:0, motion carried unanimously.

*** Amendment to the Water, Wastewater, Reclaimed Water Service Agreement with Hyundai Motor Group Metaplant America (HMGMA) -** As part of Bryan County's negotiation process with HMGMA, the Water, Wastewater, Reclaimed Water Service Agreement included a condition, which allowed HMGMA to reduce its minimum monthly water usage payment requirement commensurate with minimum water usage payments that will be made by the Battery JV (HL-GA) in accordance with its Water, Wastewater, Reclaimed Water Service Agreement once executed. Being that the adoption and execution of the HL-GA Agreement was completed at the February 2025 Board of Commissioners meeting; HMGMA has requested that its Agreement which was executed on November 14, 2023, be amended in accordance with Section 7.6 of its Agreement with Bryan County. A motion was made by Jeff Nielsen and seconded by Wade Price to approve the Amendment to the Water, Wastewater, and Reclaimed Water Service Agreement with HMGMA, as presented. Vote 5:0, motion carried unanimously.

*** T&H Task Order #123 - South Bryan 2025 Traffic Update -** This proposed Thomas & Hutton Task Order #123 will provide an update to the initial study for the area of the exit 82 interchange and Great Ogeechee Parkway. Thomas & Hutton previously completed this study in 2016. The project includes traffic data collection, analysis, cost estimates, and a summary report to update the timing for upcoming projects. The project will evaluate a 10-year and 20-year horizon for development in the area, validate previous improvements/timing for the work, and provide updated costs for use by the County in making any adjustments needed to the impact fee ordinance. The project is being funded with impact fee dollars. A motion was made by Patrick Kisgen and seconded by Gene Wallace to approve Task Order #123 in the amount of $128,500 for the South Bryan 2025 Traffic Update. Vote 5:0, motion carried unanimously.

*** 2025 Road Resurfacing Project (LMIG) -** On January 24, 2024, staff advertised a Request for Proposals for the 2025 Road Resurfacing Project (LMIG) which includes making repairs and resurfacing to portions of Devine Street, Channing Drive, Roswell Trail, River Bend Road, Mill Run Road, Steele Wood Drive, Little Creek Road, Sims Road and Stubbs Road. On February 25, 2025, five bids were received. A motion was made by Gene Wallace and seconded by Jeff Nielsen to approve staff to award a contract to Platinum Paving and Concrete Inc. for $1,035,581.60 for the 2025 Road Resurfacing Project. Vote 5:0, motion carried unanimously.

* **2024 Hazard Mitigation Plan Approval** – Georgia counties must follow the Federal Emergency Management Agency (FEMA) requirements and state guidelines to adopt a Hazard Mitigation Plan (HMP). Counties must update the HMP every five years to remain eligible for FEMA hazard mitigation grants. In September 2023 the County contracted with Lux Mitigation and Planning Corp. to update this plan. The plan has been submitted to the Georgia Emergency Management and Homeland Security Agency (GEMA/HS) for review and it has been approved. The next step in the process is the adoption of HMP by the Bryan County Board of Commissioners. A motion was made by Jeff Nielsen and seconded by Alex Floyd to approve and adopt the Hazard Mitigation Plan, as presented. Vote 5:0, motion carried unanimously.

* **Acceptance of a GEMA State/Local Cybersecurity Grant (F#S#43)** – In 2024, staff applied to GEMA for a 2022 State and Local Cybersecurity Grant to assist Bryan County with the implementation of security protections. Bryan County was awarded the SLCGP funding in the amount of $193,643.00 including a Bryan County match of $19,364.30. The Federal share is $174,278.70. The grant is a reimbursement grant. A motion was made by Alex Floyd and seconded by Patrick Kisgen to authorize the Chairman to execute, and submit all necessary documents to accept the cybersecurity grant, as well as authorize the Chairman and staff to sign progress reports and closeout documents. Vote 5:0, motion carried unanimously.

* **Recreation Concessions Contract Renewal** – In 2022, staff advertised an RFP for Parks & Recreation concessions. First Lady Kitchen, based out of Savannah, was awarded a 6-month contract. Staff and customers continue to be pleased with the service and food quality. This contract expansion would extend the contract by 15 months, expiring June 16, 2026. A motion was made by Patrick Kisgen and seconded by Alex Floyd to authorize staff to award and execute a 15-month contract renewal to First Lady Kitchen LLC. Vote 5:0, motion carried unanimously.

* **Belfast Keller Road School Accesses Change Order No. 4 -** Under the current construction contract for the Belfast Keller Road School Accesses project, several utility companies such as Clearwave Fiber and Comcast Fiber were in conflict of proposed construction and significantly delayed construction. The project has also experienced 14 weather days in excess of the original contract. Of the 14 weather days, 12 were due to rain and 2 were due to low temperatures preventing asphalt paving. Based on an updated construction schedule from the Contractor, Reeves Construction Company has requested Substantial Completion date be increased by 37 days to April 7, 2025, and for Final Payment date be increased by 21 days to April 21, 2025. A motion was made by Jeff Nielsen and seconded by Wade Price to approve CO# 4 for Reeves Construction Company to increase the contract date for Substantial Completion to April 7, 2025, and Final Payment to April 21, 2025. Vote 5:0, motion carried unanimously.

* **Approve Amendment #1 to the Servus Land Management ROW Mowing Contract -** As part of the existing ROW mowing contract with Servus Land Management, a provision was included to adjust the annual rate by the percentage equal to the Cost Price Index (CPI) as calculated by the US Department of Labor, Bureau of Labor Statistics. Addendum 1 indicates the 2025 CPI to be a 4.4% increase, which would bring the 2025 annual contract rate to $500,641 (10 mowing cycles at $50,064.10). A motion was made by Alex Floyd and seconded by Patrick Kisgen to authorize the Chairman to execute Contract Addendum

#1 with Servus Land Management for an overall 2025 ROW Mowing rate of $500,641. Vote 5:0, motion carried unanimously.

*** North Bryan County Courthouse Expansion Project Change Order –** This item is for a construction Change Oder for the Bryan County Courthouse expansion project. These additions include complete renovation to the section of the courthouse, previously used by the Bryan County Development Authority. Said renovations would create a judges chamber, jury deliberation room, three additional office spaces for court personnel, and a corridor for access between the new courtrooms and the proposed renovated area. A motion was made by Alex Floyd and seconded by Jeff Nielsen to approve a change order with Foley Construction in the amount of $82,500 for additional renovations to the North Bryan County Courthouse. Vote 5:0, motion carried unanimously.

No **Public Comments** were made.

At 6:11 p.m. a motion was made by Alex Floyd and seconded by Jeff Nielsen to go into Executive Session for litigation and personnel. Vote 5:0; motion carried unanimously.

At 6:51 p.m. the Commissioners returned to the Regular Meeting.

A motion was made by Patrick Kisgen and seconded by Alex Floyd to adjourn. Vote 5:0, motion carried unanimously.

The meeting was adjourned at 6:51 p.m.