

Bryan County Board of Commissioners – April 9, 2024

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, April 9, 2024, in Richmond Hill. The following members were present: Chairman Carter Infinger, Commissioner Dallas Daniel, Commissioner Noah Covington, Commissioner Wade Price and Commissioner Gene Wallace. Also present: County Administrator Ben Taylor, County Clerk Lori Tyson and County Attorney Aaron Kappler. Commissioner Patrick Kisgen was not present for the meeting.

Chairman Infinger called the meeting to order at 5:31 p.m. Commissioner Covington gave the invocation, and everyone joined in the Pledge of Allegiance.

The Chairman recognized Kristi Cox with the Bryan County School Board, who was in attendance for the meeting.

A motion was made by Gene Wallace and seconded by Dallas Daniel to approve the proposed agenda, with the amendment of adding Executive Session for Real Estate and Litigation and removing County Administrator Item #6. Motion carried unanimously. Vote 4:0

A motion was made by Noah Covington and seconded by Wade Price to approve the minutes of the March 2024 meetings as presented. Motion carried unanimously. Vote 4:0

A motion was made by Noah Covington and seconded by Dallas Daniel to close the regular meeting and open the Public Hearing. Motion carried unanimously. Vote 4:0

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

- * Drayton-Parker Companies – Second Reading of an Ordinance to Amend the Zoning Map for ±4.91 acres – Parcel 057-092. Daniel Ben-Yisrael with Drayton-Parker Companies was present for any questions.

- * Tommy D. Eaton – Second Reading of an Ordinance to Amend the Zoning Map for ±6.95 acres – Parcel 0211-027

- * Tommy D. Eaton – Conditional Use Permit to Operate Outdoor Dog Kennel – Parcel 0211-027

- * Peter Rossi – Conditional Use Permit to Operate a Rural Event Venue – Parcels 015-006 and 015-005. Peter Rossi was available for any questions from the Board.

- * Second Reading of an Ordinance to Amend the Code of Bryan County, Georgia Chapter 114-513 “Residential District Development Standards” and Chapter 114-517 “Commercial District Development Standards”

- * Second Reading of an Ordinance to Amend the Code of Bryan County, Georgia Chapter 114-748 “Truck Stops”

A motion was made by Gene Wallace and seconded by Wade Price to close the Public Hearing and reopen the Regular Meeting. Motion carried unanimously. Vote 4:0

*** Drayton-Parker Companies – Second Reading of an Ordinance to Amend the Zoning Map for ±4.91 acres – Parcel 057-092** – Drayton-Parker Companies, represented by Cody Rogers of EMC Engineering, is requesting to rezone 4307 Belfast River Road, Parcel Number 057-092, from the existing “A-5”, Agricultural Zoning District, to the “B-2”, General Commercial Zoning District for a convenience store with fuel pumps. A motion was made by Gene Wallace and seconded by Wade Price to approve an Ordinance to Amend the Zoning Map for Parcel 057-092 from “A-5” Agricultural to “B-2” General Commercial, with the following conditions:

1. The developer shall enter into a Water and Sewer Agreement with the County prior to the issuance of any development permits. Individual well and septic are not permitted for this site, unless provided for in the Water and Sewer Service Agreement.
2. The developer shall enter into a Transportation Agreement with the County prior to the issuance of any development permits.
3. The owner shall dedicate water and sewer easements, as determined by the Engineering Director.
4. The owner shall dedicate right-of-way, as determined by the Engineering Director.
5. The developer shall revise the proposed auxiliary turn lanes to ensure appropriate spacing from roundabout access points.

Vote 4:0; Motion carried unanimously.

*** Tommy D. Eaton – Second Reading of an Ordinance to Amend the Zoning Map for ±6.95 acres – Parcel 0211-027** – Mark and Tommy Eaton, requesting to rezone a 6.95-Acre tract of land from the “RR-1” Rural Residential zoning district and the to the “A-5” Agricultural zoning district. Applicant plans to develop a small dog kennel facility. This requires a related conditional use permit. A motion was made by Noah Covington and seconded by Dallas Daniel to approve the rezoning of Parcel 0211-027 from “RR-1” Rural Residential to the “A-5” Agricultural zoning district. Vote 4:0; Motion carried unanimously.

*** Tommy D. Eaton – Conditional Use Permit to Operate Outdoor Dog Kennel – Parcel 0211-027** – Mark Tommy Eaton, requesting to operate a 4-dog kennel facility in the “A-5” Agricultural zoning district. The property is located on the northern end of Unincorporated Bryan County at 376 Harveytown Rd. A motion was made by Noah Covington and seconded by Dallas Daniel to approve the Conditional Use for Parcel 0211-027 for a 4-dog kennel facility, with the following condition:

1. A privacy fence be located on the Harveytown Road frontage prior to the issuance of a business license, or a privacy fence be located so that the kennel is shielded from Harveytown Road.

Vote 4:0; Motion carried unanimously.

*** Peter Rossi – Conditional Use Permit to Operate a Rural Event Venue – Parcels 015-006 and 015-005** – Peter Rossi, Representing Clifford White of Veteran Carriers Ranch, requesting a conditional use permit in order to operate a rural event venue in the “A-5”, Agricultural zoning district. The property previously operated as a nonconforming event venue. A motion was made by Noah Covington and seconded by Wade Price to approve the Conditional Use for Parcels 015-005 & 015-006 for operation of a rural event venue, with the following conditions:

1. The Applicant shall combine the two lots so that all improvements are on one parcel.

2. Should the applicant/owner expand the use in the future, the applicant must apply for an amendment to the CUP.
3. The applicant/owner shall obtain Public Health approval prior to any overnight accommodations taking place.

Vote 4:0; Motion carried unanimously.

*** Second Reading of an Ordinance to Amend the Code of Bryan County, Georgia Chapter 114-513 “Residential District Development Standards” and Chapter 114-517 “Commercial District Development Standards”** – This ordinance was originally drafted to amend Section 114-513, Exhibit 513, and Section 114-517, Exhibit 517, of the UDO, to increase the maximum height of structures in the Multi-Family Residential Districts (RM) and Interchange Commercial (C-I) Zoning District from 35 feet to 50 feet. It also revises Section 114-610, subsections (B) and (F) to revise provisions for height transitions between zoning districts. Based on discussions held with the Board of Commissioners at their March workshop and regular meeting, the ordinance has since been modified to remove the height increase for the Multi-Family Residential Districts. A motion was made by Dallas Daniel and seconded by Noah Covington to modify the Ordinance to Amend Section 114-517 (Exhibit 517) and Section 114-610 of the Unified Development Ordinance (“UDO”). Vote 4:0; Motion carried unanimously.

*** Second Reading of an Ordinance to Amend the Code of Bryan County, Georgia Chapter 114-748 “Truck Stops”** – This ordinance revises Section 114-748 of the UDO, to remove the requirement for truck stops to provide electrified parking spaces for overnight accommodations. A motion was made by Gene Wallace and seconded by Wade Price to modify the Ordinance to Amend Section 114-748 of the Unified Development Ordinance (“UDO”). Vote 4:0; Motion carried unanimously.

Aaron Kappler, County Attorney, brought the following item to the Board.

*** Consideration and approval of Contract by and between the Tax Commissioner, City of Pembroke, City of Richmond Hill and Bryan County** – Each Each year the Tax Commissioner has an opportunity to negotiate an agreement with the municipalities located within Bryan County for the collection of municipal taxes and the preparation of a tax digest. Pamela Gunter, the interim Tax Commissioner, entered into a contract with the City of Pembroke for those purposes. That contract is in the form of an intergovernmental agreement that requires the approval by the Bryan County Board of Commissioners. A motion was made by Gene Wallace and seconded by Wade Price. Vote 4:0; Motion carried unanimously.

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

*** Approve Belfor Authorization – Hendrix Park Two-Story Concession Stand Rebuild** – A devastating F4 tornado hit Bryan County destroying Hendrix Park. Since that time, the County has been working with Belfor Property Restoration and ACCG Insurance to rebuild the County’s facilities. The two-story concession stand located between fields 1-4 at Hendrix Park was completely destroyed during the tornado. Belfor has received all of the bids necessary to rebuild the concession stand and compiled a preliminary estimate of \$657,821.70, of which \$359,191.15 has been approved for reimbursement by Bryan County’s insurer. GMC, the architect, has reviewed Belfor’s cost estimate and has found the estimate to be fair and reasonable and that it is in line with regional market conditions as discussed with a third-party estimator as well as historical data. Negotiations will continue with the insurance company,

but to keep the momentum going on the rebuilding of Hendrix Park, staff requests the ability to authorize Belfor to proceed with the rebuilding of the concession stand at Hendrix Park. A motion was made by Noah Covington and seconded by Wade Price to approve staff to sign the contract not to exceed \$657,821.70 with Belfor Property Restoration for the rebuilding of the Hendrix Park concession stand located between fields 1 - 4. Vote 4:0, motion carried unanimously.

*** Approve Addendum #1 to the Belfor Contract for Hendrix Park Gymnasium** – A devastating F4 tornado hit Bryan County destroying Hendrix Park. Since that time, the County has been working with Belfor Property Restoration and ACCG Insurance to rebuild the County's facilities. As expected, last month the price of steel for rebuilding the Hendrix Park Gym increased by 18%. An addendum has been prepared to accommodate the additional \$85,944 for the price of steel. The total Belfor contract for the construction of the gym has been increased from \$4,728,358.96 to \$4,814,301.96. Staff is requesting approval of Addendum #1. A motion was made by Noah Covington and seconded by Wade Price to authorize staff to sign Addendum #1 of the Belfor contract for the rebuilding of the Hendrix Park Gymnasium increasing the amount of the contract by \$85,944. Vote 4:0, motion carried unanimously.

*** Approval of the 2023 Annual Year End Budget Amendments** – Every year, as part of the year end process, it is necessary for the Commission to review and approve necessary budget amendments. The 2023 year end budget amendments have been broken down into the following 4 categories: 2022 Tornado, Special Revenue Funds & Minor Funds, County-Wide/Unincorporated, Constitutional/Courts. A motion that was made by Gene Wallace and seconded by Wade Price to adopt a Resolution to Approve the 2023 Budget Amendments, as presented. Vote 4:0, motion carried unanimously.

*** Approval of the 2024 Budget Amendments** – Due to the reasons herein, it is necessary to amend the 2024 budget. Exhibit A details the amendments requested for approval. 1. Due to delays with the purchase and delivery of several items that were budgeted and/or approved in the 2023 budget it is necessary to make budget amendments in the 2024 budget to complete the payment of the purchases. 2. The Commissions approval is needed when departments request to move budget money within their department from an operating expenditure line to a salary/payroll expenditure line. A motion was made by Wade Price and seconded by Dallas Daniel to approve the 2024 Budget Amendments, as presented. Vote 4:0, motion carried unanimously.

*** Appointment to the Bryan County Board of Assessors** – Mr. Matt Owens was appointed to the Bryan County Board of Assessors in June of 2018. The term for this appointment expires in June of 2024. Mr. Owens has expressed interest of continuing to serve on this board. If the Board of Commissioners wishes to appoint Mr. Owens to a second term, this term would begin July 1, 2024, and expire June 30, 2030. A motion was made by Noah Covington and seconded by Wade Price to appoint Mr. Matt Owens to the Bryan County Board of Assessors for a six (6) year term, beginning July 1, 2024, and expiring June 30, 2030. Vote 4:0; motion carried unanimously.

*** Dissolution of Existing Development Impact Fee Advisory Committee and Appointment of New Development Impact Fee Advisory Committee** – The Community Development Department has commenced the North Bryan Transportation Impact Fee Study. Pursuant to state law, the County is required to form a Development Impact Fee Advisory Committee ("Committee") comprised of no less than five and no more than ten members. Fifty percent of the Committee members must represent the building, development, or real estate industries. The County has an existing Committee, which was appointed when the South Bryan Transportation Impact Fee was considered. The Board of Commissioners is being asked to dissolve the existing Committee and appoint a new Committee. A motion was made by

Dallas Daniel and seconded by Noah Covington to approve a Resolution Dissolving the Existing Development Impact Fee Advisory Committee and Appointing a New Development Impact Fee Advisory Committee. Vote 4:0; motion carried unanimously.

*** Approve a Water and Sewer Service Agreement with Blitchton Investments 1, LLC – Stubbs Tract 2** – Blitchton Investments 1, LLC is the developer of the North Bryan Industrial property commonly referred to as the Stubbs 2 Tract. Per the rezoning conditions for the property, the owner/developer must enter into a Water and Sewer Service Agreement addressing water and sewer capacity and infrastructure requirements prior to a land disturbance or building permit being issued. A motion was made by Gene Wallace and seconded by Wade Price to approve the Water and Sewer Service Agreement between the Board of Commissioners of Bryan County and Blitchton Investments 1, LLC – Stubbs Tract 2, subject to approval by the Chairman, County Staff and the County Attorney. Vote 4:0; motion carried unanimously.

*** T&H Task Order #101 Harris Trail – Port Royal Database & TIA** – With the proposed development along the Port Royal Road area Bryan County is committed to improvements in order to facilitate continued traffic flow in the area. The proposed Thomas & Hutton Task Order #101 includes surveying services and traffic impact analysis (TIA) to determine the appropriate improvements needed at the Harris Trail/Port Royal intersection. The TIA will collect traffic data and determine the needed improvements based on current developments as well as future developments along the corridor. The intersection improvement will also consider the future widening of Harris Trail Road. Improvements at the intersection may consist of additional turn lanes, traffic signal, roundabout or a combination of improvements. Once the type of improvement is determined then future task orders will be needed to complete the design for the improvements. The improvements are being completed to accommodate the coming growth at the intersection and along the corridor. The project is being funded with local dollars. A motion was made by Dallas Daniel and seconded by Noah Covington to approve Task Order #101 in the amount of \$88,500, for the Harris Trail/Port Royal Intersection improvements. Vote 4:0; motion carried unanimously.

*** South Bryan Miocene Test Wells and Preliminary Planning** – Given continued limitations on withdrawals from the Floridan Aquifer, the County must explore alternative water supply sources to allow continued growth in our community. The proposed task order includes engineering design for two (2) test wells in the Miocene Aquifer to evaluate and quantify the amount of water supply that can be developed from this alternative groundwater source. Thomas & Hutton has exclusive expertise and institutional knowledge linked directly to Miocene wells in coastal Georgia as well as water infrastructure planning for South Bryan County. They completed Miocene Well testing/studies or production Miocene well designs in multiple coastal counties. Their prior work on the recent South Bryan County Water & Sewer Master plan in addition to completing two past Miocene aquifer studies in south Bryan makes Thomas & Hutton uniquely capable of providing the required services within required timelines. A motion was made by Noah Covington and seconded by Wade Price to approve Task Order #102, in the amount of \$103,800.00 for the South Bryan Miocene Test Wells and Preliminary Planning. Vote 4:0; motion carried unanimously.

*** BCMS 2 MG Elevated Storage Tank and 1,800 GPM Well Change Order No. 2** – Under the subject contract, the logo design on the outside of the Bryan County Mega Site Elevated Storage Tank was to be the Bryan County logo on the tank with a white background. In September 2023, HMGMA & SCAD determined that a new design on the tank would be a full wrap logo and design instead of solely the Bryan

County logo. Change Order No. 2 is attached and amounts to a total of \$138,192.37 and 60 additional calendar days on the project schedule. A motion was made by Noah Covington and seconded by Wade Price to approve Change Order No. 2, in the amount of \$138,192.37 and 60 additional calendar days on the project schedule. Vote 4:0; motion carried unanimously.

*** Bryan-Bulloch County Water Transmission Main – Phase III** – In conjunction with the State of Georgia, Bryan County is committed to the design, permitting, and construction of off-site water improvements to serve North Bryan County. Bryan County engaged Thomas & Hutton (T&H) Engineering to design and permit the Bryan-Bulloch County Water Transmission Main – Phase III. T&H prepared contract bid documents and associated plans for the construction of the Bryan-Bulloch County Water Transmission Main – Phase III and upon approval of the documents the project was subsequently advertised for construction bids. Bids were received for the project on March 25, 2024, and are currently being evaluated by T&H. Two (2) bids were received: Southern Civil, LLC and Ruby-Collins, Inc. T&H will prepare a letter of recommendation once the bidding documents have been reviewed. A motion was made by Noah Covington and seconded by Wade Price to approve and award of the Bryan-Bulloch Water Transmission Main – Phase III to Southern Civil, LLC, in the amount of \$20,865,052.00 and authorize staff to execute the necessary contract documents in order to initiate the project. Vote 4:0; motion carried unanimously.

The following citizens made **Public Comments**:

- * Lisa Freeman spoke on election integrity
- * Tom Seaman spoke on supporting the Constitution

At 6:28 p.m. a motion was made by Noah Covington and seconded by Dallas Daniel to go into Executive Session for litigation and real estate. Vote 4:0; motion carried unanimously.

At 7:38 p.m. the Commissioners returned to the Regular Meeting.

A motion was made by Noah Covington and seconded by Dallas Daniel to adjourn. Vote 4:0, motion carried unanimously.

The meeting was adjourned at 7:39 p.m.