

Bryan County Board of Commissioners – July 9, 2024

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, July 9, 2024, in Pembroke. The following members were present: Chairman Carter Infinger, Commissioner Patrick Kisgen, 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.

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

A motion was made by Gene Wallace and seconded by Wade Price to approve the proposed agenda, with the following amendments: removal of Consent Agenda items 6 and 7, and removal of County Administrator Items 10, 13, 14 and 15. Motion carried unanimously. Vote 5:0

A motion was made by Noah Covington and seconded by Dallas Daniel to approve the minutes of the June 2024 meetings as presented. Motion carried unanimously. Vote 5:0

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

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

Sara Farr-Newman, Audra Miller and Amanda Clement met with the Commissioners on the following Public Hearing Items.

* Sketch Plat for Parcel 30 of the Waterways PD located on Oak Level Road, Parent Parcel Number 075-001

* Second Reading of an Ordinance to Amend the Zoning Map for property located north of Highway 80 on the Bulloch County Line, identified by Parcel Number 028-028. *Jason Chambles with T&H and Cynthia Hatala were present to speak on the issue.*

* Second Reading of an Ordinance to Amend the Zoning Map for property located at 8430 Highway 17, identified by Parcel Number 042-026

* Authorize the Transmittal of the Annual Update of the Capital Improvement Element to the Georgia Department of Community Affairs

* The Cubes at West Port, LLC – Revised Master Plan for the Herbert Warnell Tract – Parcel 029-024

A motion was made by Patrick Kisgen and seconded by Dallas Daniel to close the Public Hearing and reopen the regular meeting. Vote 5:0, motion carried unanimously.

* **Sketch Plat for Parcel 30 of the Waterways PD located on Oak Level Road, Parent Parcel Number 075-001** – Savannah Land Holdings, LLC, represented by Hussey Gay Bell Engineering, is requesting approval for a Sketch Plat for Parcel 30 of the Waterways PD. The plat proposes 104 single family lots and 102 townhome lots in 2 phases. Staff recommends tabling an additional month for further discussions. A motion was made by Patrick Kisgen and seconded by Dallas Daniel to table the matter for 30 days. Vote 5:0, motion carried unanimously.

*** Second Reading of an Ordinance to Amend the Zoning Map for property located north of Highway 80 on the Bulloch County Line, identified by Parcel Number 028-028** – Jason Chambless of Thomas and Hutton is requesting to rezone approximately 165.2 acres located north of Highway 80 on the Bulloch County Line, identified by Parcel Number 028-028, from the existing “A-5”, agricultural Zoning District, to the “I-2”, General Industrial Zoning District, for warehousing. A motion was made by Patrick Kisgen and seconded by Wade Price to approve the rezoning of Parcel Number 028-028, from “A-5”, Agricultural Zoning District, to the “I-2”, General Industrial Zoning District with the following conditions:

1. The TIA must be finalized and approved by the County prior to any applications for land development or building permit being submitted to the County.
2. A transportation improvement agreement must be executed prior to any land disturbance or building permit being issued. The transportation improvement agreement shall, at a minimum, address the following to include timelines for completion:
 - a. Developer required Improvements identified in the approved TIA;
 - b. Improvements to Warnell Farm Road along the property frontage and west to the intersection with Highway 80;
 - c. Highway 80/Warnell Farm Road intersection improvements, including timing and funding.
3. A water and sewer agreement shall be required. The water and sewer agreement shall address the construction and ownership (private/public) of required water and sewer infrastructure specific to the project and provide for the dedication of required access and maintenance easements for infrastructure to be dedicated to the County.

Vote 5:0, motion carried unanimously.

*** Second Reading of an Ordinance to Amend the Zoning Map for property located at 8430 Highway 17, identified by Parcel Number 042-026** – Robert Bacot is requesting to rezone 8430 Highway 17, Parcel Number 042-026, from the existing “B-2”, General Commercial Zoning District, to the “R-15”, Single Family Residential Zoning District for a single-family home. A motion was made by Gene Wallace and seconded by Dallas Daniel to approve the rezoning of Parcel # 042-026 from B-2 to R-15 Single Family Residential Zoning District. Vote 5:0, motion carried unanimously.

*** Authorize the Transmittal of the Annual Update of the Capital Improvement Element to the Georgia Department of Community Affairs** – This Annual Update to the Georgia Department of Community Affairs is a requirement by State law regarding CIEs and Impact Fees. This Public Hearing and Resolution adoption satisfies the requirements of said law, allowing the County to submit the update to the DCA. A motion was made by Dallas Daniel and seconded by Gene Wallace to authorize the Transmittal of the Annual Update of the Capital Improvement Element to the Georgia Department of Community Affairs. Vote 5:0, motion carried unanimously.

*** The Cubes at West Port, LLC – Revised Master Plan for the Herbert Warnell Tract – Parcel 029-024** – The Cubes at West Port, LLC is requesting a Master Plan Amendment for the West Port Logistics Center to be located on the “Herbert Warnell Tract”, located on Hwy 280. The property is currently zoned I-2. PIN# 029-024. The applicant has made a request to staff to defer this vote to the August meeting. A motion was made by Patrick Kisgen and seconded by Wade Price to defer this item to the August meeting. Vote 5:0, motion carried unanimously.

Brett Kohler met with the Commissioners on the following Non-Public Hearing issue.

*** First Reading of an Ordinance to Amend the Zoning Map for 316 Old Olive Branch Rd, PIN# 029 047 01** – Jody Riley, representing Yamileth Arcos, requesting to rezone a 2.51-acre property from the "A-5" Agricultural Zoning District to the "RR-1" Rural Residential 1 Acre Zoning District. The property is located at 316 Old Olive Branch Rd, PIN# 029 047 01. The applicant plans to complete a minor subdivision and place an additional home. This is a first reading; no action is required.

Ben Taylor, County Administrator, met with the board on the following issues.

*** Approve the Fisherman's Co-op Park and Boat Landing Operations Manual and Authorize Transmittal to the Department of Natural Resources** – Bryan County received a Coastal Marshlands Act Permit from DNR, authorizing certain construction activities related to the Fisherman's Co-Op Park and Boat Landing project. A special condition of said permit is for the preparation of an operations manual, and for that manual to be submitted to DNR for the review and approval, before operations commence at the facility. A motion was made by Patrick Kisgen and seconded by Gene Wallace to approve the Fisherman's Co-op Park and Boat Landing Operations Manual and authorize transmittal to the Georgia Department of Natural Resources. Vote 5:0, motion carried unanimously.

*** First Reading of an Ordinance to Amend Chapter 30 "Utilities" of the Bryan County Code of Ordinance** – Bryan County adopted revisions to Chapter 30 "Utilities" in September 2022. As part of these revisions, the ordinance established Bryan County's ability to designate subareas/districts for Water and Sewer Service Areas. In order to provide consistency and continuity with the interpretation and application of Water and Sewer Service subareas/districts, Sec. 30-152 is being amended to specifically identify the Department responsible for maintaining and interpreting the Water and Sewer Service Area map(s). Additionally, the proposed revisions provide an appeal process for individuals aggrieved by decisions regarding application of subarea/district lines. This is a First Reading; no action is required.

*** Georgia Department of Corrections Work Detail Contracts** – This item is for the approval of three work detail contracts with the Georgia Department of Corrections; two for Public Works (\$98,636 for a period of 7/1/2024 – 6/30/2025; two work details out of Long County) and one for Parks and Recreations Maintenance (\$49,318 for a period of 7/1/2024 – 6/30/2025; one work detail from the Women's Probation Detention Center). A motion was made by Noah Covington and seconded by Dallas Daniel to authorize the County Administrator to Execute the Work Detail Agreements with the Georgia Dept. of Corrections for (2) Public Works details and (1) Recreation maintenance detail. Vote 5:0, motion carried unanimously.

*** Bryan County-City of Pembroke Automatic Aid Agreement** – This Mutual Aid Agreement is between the City of Pembroke and Bryan County, pertaining to Emergency Services automatic response. This type of agreement is a common occurrence between departments with adjacent jurisdictional boundaries. This agreement is also an update of an agreement previously in place. A motion was made by Noah Covington and seconded by Gene Wallace authorizing the Chairman to execute the Bryan County-City of Pembroke Automatic Aid Agreement, as presented. Vote 5:0, motion carried unanimously.

*** Bid Award for Bryan County Courtroom Technology** – Advertisement for Bids was conducted in June for the courtroom technology needed in order for court operations to resume in the Bryan County Courthouse, in the aftermath of the tornado of April 2022. Several companies inquired of the bid opportunity; however, only one company submitted an official bid. A motion was made by Gene Wallace

and seconded by Wade Price to authorize staff to award a contract to BISDIGITAL in the amount of \$130,850.00 for the installation of A/V technology in the Bryan County Superior Courtroom. Vote 5:0, motion carried unanimously.

*** Bryan County Commitment of Matching Funds for Georgia Emergency Management Agency – Warning Sirens for North and South Bryan County** – Bryan County has submitted a pre-application to GEMA (Georgia Emergency Management and Homeland Security Agency) for the purchase of emergency warning sirens for North Bryan County and South Bryan County (two separate applications). Staff has worked with GEMA on several iterations of the applications with GEMA's guidance. This item is for approval of a letter of commitment for the matching funds needed to proceed. A motion was made by Noah Covington and seconded by Patrick Kisgen authorizing submission of a letter of commitment for the required matching funds in the amount of \$129,471.18. Vote 5:0, motion carried unanimously.

*** North Bryan WRF Change Order No. 1 – Construction of 12" Reuse Main** – The proposed work associated with CO #1 is a lump sum price of \$1,497,761.00. However, this contract included a Contingency line item. The value of this proposed work would be deducted from the \$4,500,000.00 Contingency item. The amount of Contingency remaining shall be \$3,002,239.00. A motion was made by Gene Wallace and seconded by Noah Covington to approve Change Order No. 1, allowing for a net zero change in contract price (\$0.00). Vote 5:0, motion carried unanimously.

*** Bryan-Bulloch Water Transmission Main Phase II Change Order No. 1** – The Contractor for this project has agreed to the creation of Division IA to accelerate the delivery date of approximately 13,000 linear feet of the Phase II water transmission main to aid in providing water supply to Hyundai Motor Group Metaplant America (HMGMA). Funding for this incentive payment will be provided from previously allocated matching funds from JDA local government entities. No additional Bryan County funds will be necessary. A motion was made by Dallas Daniel and seconded by Wade Price to approve Bryan-Bulloch Water Transmission Main Phase II Change Order No. 1, in the amount of \$782,900, allowing for the creation of Division IA and the acceleration of this portion of the project. Vote 5:0, motion carried unanimously.

*** Easement Acquisition – YWK Investment Group, LLC Tax Parcel # 188-000019-001** – This item authorizes Bryan County, Georgia, to acquire from YWK Investment Group, LLC, certain easement rights upon the property lying in Bulloch County, Georgia, identified as Tax Parcel ID No. 188-000019-001. The County shall pay \$35,300.00 in exchange for the easement rights upon the Property. This Option Agreement and Easement for Water, Sewer, and Access grant the County an easement for access, maintenance, and utilities. The Property is located at 8527 HWY 119, Ellabell, Georgia 31308. A motion was made by Patrick Kisgen and seconded by Gene Wallace authorizing the Chairman to execute all applicable documents for the acquisition of Easement with YWK Investment Group, LLC, for Tax Parcel # 188-000019-001 for water and sewer improvements. Vote 5:0, motion carried unanimously.

*** Easement Acquisition – Ronald Deloach, Essie S. Deloach and Samuel Phillip Deloach Tax Parcel # 088-000019-000** – This item authorizes Bryan County, Georgia, to acquire from Ronald Deloach, Essie S. Deloach, and Samuel Phillip Deloach certain easement rights upon the property lying in Bulloch County, Georgia, identified as Tax Parcel ID No. 188-000019-000. The County shall pay \$3,000.00 in exchange for the easement rights upon the Property. This Option Agreement and Easement for Water, Sewer, and Access grant the County easements for access, maintenance, and utilities. The Property is

located at HWY 119, Bulloch County, Georgia. A motion was made by Noah Covington and seconded by Wade Price authorizing the Chairman to execute all applicable documents for the acquisition of Easement with Ronald Deloach, Essie S. Deloach and Samuel Phillip Deloach, for Tax Parcel # 088-000019-000 for water and sewer improvements. Vote 5:0, motion carried unanimously.

*** Easement Acquisition – JOEL Scott Deloach a/k/a Scott Joey Deloach and Ronald J. Deloach Tax Parcel 188-000020-000** – This item authorizes Bryan County, Georgia, to acquire from J. Scott Deloach and Ronald J. Deloach, certain easement rights upon the property lying in Bulloch County, Georgia, identified as Tax Parcel ID No. 188-000020-000. The County shall pay \$13,000.00 in exchange for the easement rights upon the Property. This Option Agreement and Easement for Water, Sewer, and Access grant the County easements for access, maintenance, and utilities. The Property is located at Bill Futch Road, Bulloch County, Georgia. A motion was made by Noah Covington and seconded by Dallas Daniel to table this item to the June meeting. Vote 5:0, motion carried unanimously.

Commissioner Covington gave clarification to the public of why some items are removed from agenda last minute, and how those parties are notified.

The following **Public Comments** were made:

* Cynthia Hatala, spoke about the desire for an aquatic center in Bryan County

At 6:15 p.m. a motion was made by Noah Covington to go into Executive Session for the purposes of litigation and personnel. Wade Price seconded the motion. Motion carried unanimously.

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

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