

Bryan County Board of Commissioners – November 12, 2024

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, November 12, 2024, in Pembroke. The following members were present: Chairman Carter Infinger, Commissioner Dallas Daniel, Commissioner Noah Covington, Commissioner Wade Price and Commissioner Gene Wallace. Commissioner Patrick Kisgen was not present for the meeting. Also present: Assistant County Administrator Kathryn Downs, County Clerk Lori Tyson and County Attorney Aaron Kappler. County Administrator, Ben Taylor was not present for the meeting.

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

A motion was made by Dallas Daniel and seconded by Noah Covington to approve the proposed agenda, with the tabling of County Administrator Item 6, and the addition of Executive Session for litigation, real estate and personnel. Motion carried unanimously. Vote 4:0

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

A motion was made by Noah Covington and seconded by Dallas Daniel to approve the Consent Agenda. 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, Brett Kohler and Amanda Clement met with the Commissioners on the following Public Hearing Items.

*** James Moore – Second Reading of an Ordinance to Amend the Zoning Map for ±1 acre – Parcel 009-015.** No one was present to speak on this item.

*** Awning Partners, LLC - Second Reading of an Ordinance to Amend the Zoning Map for ± 10.66 acres – Parcels 034-018 and 034-019.** Robert McCorkle was present to speak on behalf of the applicant. They have no objection to the changes suggested by Community Development.

*** SCWC Enterprises Inc., DBA Phillips Paving, Clay Moore – Amendment to Conditional Use Permit Conditions – storage of materials - for ± 1.63 acres – Parcel 037-035-01.** There was no one present to speak on this item.

A motion was made by Gene Wallace and seconded by Dallas Daniel to close the Public Hearing and reopen the regular meeting. Vote 4:0, motion carried unanimously.

*** James Moore – Second Reading of an Ordinance to Amend the Zoning Map for ±1 acre – Parcel 009-015** – The applicant is requesting to rezone a 1-acre portion of a 14.27-acre property from the "A-5" Agricultural Zoning District to the "RR-1" Rural Residential 1 Acre Zoning District. The property is located at 1412 Otter Hole Branch Rd, PIN# 009 015. The applicant plans to complete a minor subdivision and place an additional home. A motion was made by Wade Price and seconded by Noah Covington to approve the rezoning of Parcel #009-015 from A-5 Agricultural to RR-1 Rural Residential zoning district. Vote 4:0, motion carried unanimously.

*** Awning Partners, LLC - Second Reading of an Ordinance to Amend the Zoning Map for ± 10.66 acres – Parcels 034-018 and 034-019** – Awning Partners, LLC, represented by Robert McCorkle, is requesting to rezone approximately 10.66 acres of property identified by Parcel Numbers 034-018 and 034-019, from the existing “RR-1”, Rural Residential Zoning District, to the “I-1”, Light Industrial Zoning District for warehousing and office space. A motion was made by Noah Covington and seconded by Wade Price to approve the rezoning of Parcel #s 034-018 and 034-019 from RR-1 Rural Residential to I-1 Light Industrial zoning district, with the following conditions:

1. The developer shall enter into a Water and Sewer Agreement, as required by the County Engineer, prior to the issuance of any development permits.
2. The developer shall enter into a Transportation Agreement, as required by the County Engineer, prior to the issuance of any development permits.
3. Left and right turn lanes shall be provided for a full access driveway on US 280 due to the percentage of truck traffic entering the site and the volume of through traffic on US 280. GDOT shall make the final determination on whether full access (with left and right turns) will be permitted.
4. The parcels shall be combined via a minor plat and recorded prior to site plan approval.

Vote 4:0, motion carried unanimously.

*** SCWC Enterprises Inc., DBA Phillips Paving, Clay Moore – Amendment to Conditional Use Permit Conditions – storage of materials - for ± 1.63 acres – Parcel 037-035-01** – On March 12, 2024, the Board of Commissioners approved a Conditional Use Permit for the temporary operation of a Mobile Concrete Batch Plant, subject to seven conditions. Clay Moore with Phillips Paving is now requesting a modification to the March 12th approval to amend Condition #1, allowing the storage of aggregate materials to encroach into the front setback. The property is located on Highway 204 at the corner of Pine Barren Loop Rd. in the northern end of Unincorporated Bryan County. PIN# 037-035-01. A motion was made by Dallas Daniel and seconded by Noah Covington to approve the Amendment of the Conditional Use Permit, to reflect the following condition: All equipment and materials must be contained within the required building setback lines. The only exception to this is the concrete block containment system for aggregate storage, which must be removed from the site upon expiration of the Conditional Use Permit. Vote 4:0, motion carried unanimously. Commissioner Price recused himself from the vote.

Audra Miller, Brett Kohler and Sara Farr-Newman met with the Commissioners on the following Non-Public Hearing issues.

*** Second Reading of an Ordinance to adopt Chapter 7 “Broadband Ready Community”** – Bryan County does not currently specifically address Broadband projects or installation within the Bryan County Code of Ordinances. In order to address this utility, the addition of a Broadband chapter as drafted is being recommended. This will also enable the County to become A Designated Broadband Ready Community once adopted. A motion was made by Noah Covington and seconded by Dallas Daniel to approve the Second Reading of An Ordinance to add Chapter 7 “Broadband Ready Community” to the Bryan County Code of Ordinances. Vote 4:0, motion carried unanimously.

*** VG’s Collision – First Reading of an Ordinance to Amend the Zoning Map for ±3.22 acres – Parcel 025-001-01** – Valli Gapac, requesting to rezone a 3.22-acre property from the "B-1" Neighborhood Commercial Zoning District to the "B-2" General Commercial Zoning District. The property is located at

209 Bill Futch Road, PIN# 025 001 01. The applicant plans to continue operation as an auto body shop and establish a car rental service via Enterprise. This is a first reading; no action is required.

*** First Reading of an Ordinance to amend the Bryan County Sign Ordinance** – The ordinance amendments focus on regulating signage along interstate highways and within commercial and industrial zoning districts. The proposed changes introduce new provisions for digital gas price displays and modifies provisions for outdoor advertising signs and interstate pole signs. This is a first reading; no action is required.

Kathryn Downs, Assistant County Administrator, met with the board on the following issues.

*** Appointment to Planning and Zoning Commission/Board of Adjustment** – Alex Floyd will be sworn in as a Bryan County Commissioner in January 2025, and he will be resigning from the Planning and Zoning Commission and Board of Adjustment. Matthew Ferreira has expressed a desire to serve on the Planning and Zoning Commission and Board of Adjustment and is seeking appointment. If appointed, Mr. Ferreira's term would begin January 1, 2025, and expire February 28, 2029. A motion was made by Noah Covington and seconded by Wade Price to appoint Matthew Ferreira to the Bryan County Planning and Zoning Commission and Board of Adjustment. Vote 4:0, motion carried unanimously.

*** Belfast Keller Road School Accesses Project CO #3 - Contract Time Extension** – 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. Based on updated construction schedule from the Contractor, Reeves Construction Company has requested Substantial Completion date be increased by 132 days to March 1, 2025, and for Final Payment date be increased by 125 days to April 1, 2025. A motion was made by Dallas Daniel and seconded by Noah Covington to approve Change Order No. 3 for Reeves Construction Company, as presented. Vote 4:0, motion carried unanimously.

*** Bryan Fisherman's Co-Op CO #2 Contract Additions and Time Extension** – During the remediation work of the existing pierhead additional work, including additional pile cleaning to ascertain extent of damages, addition of pierhead drains to accommodate ponding water and modification of the ADA ramps were identified and deemed required for the completion of the work. Item 3: During the clearing for the Nature Path an existing drainage channel was discovered in the footprint of the path and an additional elevated drainage crossing (boardwalk) was necessary to maintain drainage conveyance in that area. Item 5: Prior to removal of the cofferdam sheet pile, the bottom of creek elevation was evaluated in comparison to the grade inside the cofferdam. During construction substantial erosion has occurred along the waterside of the cofferdam, necessitating additional rip rap to prevent undermining of the newly constructed boat ramp upon removal of the cofferdam sheet pile. Item 6: The pump station included in the bid package was to be completed as a design-build station. During the review of the submitted design-build package, Consultant provided comments based on available power to the site as well as requesting additional design considerations to be included in the submittal package. Item 7: Contractor is requesting an extension to the contract. The new proposed substantial completion date is February 19, 2025, and completed and ready for final payment by March 21, 2025. Contractor is requesting the time extension due to subconsultant and material fabrication backlog. Thomas & Hutton has reviewed the submitted change order and has confirmed the submitted quantities and prices. A motion was made by Gene Wallace and seconded by Dallas Daniel to approve Change Order No. 2, for an overall increase in contract price in the amount of \$118,644.87, as presented. Vote 4:0, motion carried unanimously.

*** Acceptance of Homeland Security Grant to Refurbish BEMA's Mobile Command Vehicle –** Bryan County applied to Homeland Security for funding to refurbish the Black Hawk Mobile Command Vehicle, earlier this year. The application requested \$160,555. No matching funds are required. The total project was estimated to cost \$320,000. GEMA/HS informed Bryan County that the State of Georgia awarded the Bryan County EMS a sub grant funded from the federal FY2024 State Homeland Security Program. The amount of the grant is \$160,555.00 to build and enhance our community's capabilities in Homeland Security. The grant funding can only be used for the purposes specified and authorized by a Recipient-Subrecipient Agreement, and no action may be undertaken until the agreement has been finalized. On October 23rd the County was notified by Georgia Emergency Management and Homeland Security Agency that the application was funded. A motion was made by Noah Covington and seconded by Gene Wallace to approve the Homeland Security Grant and the associated funding, and hereby authorize staff to execute all necessary documents to implement the grant. Vote 4:0, motion carried unanimously.

*** Consideration of Resolution to Approve IGA between Bryan County and the City of Richmond Hill - Belfast Keller Road Improvements –** In furtherance of the public welfare and in the best interest of the citizens of Bryan County, the County is entering into an intergovernmental agreement (the "IGA") with the City of Richmond Hill regarding the joint funding, design and construction of certain transportation improvements to Belfast Keller Road. Under the IGA, the County and City agree to share the costs of the transportation improvements to Belfast Keller Road not funded by private developers. A motion was made by Gene Wallace and seconded by Dallas Daniel to approve an IGA between Bryan County and the City of Richmond Hill for the Belfast Keller Road Improvements. Vote 4:0, motion carried unanimously.

Aaron Kappler, County Attorney, presented the board with the following issues.

*** Consideration of a Resolution to Authorize Acquisition of Fee Simple Right-of-Way and Easement Interests from Tax Parcel 0251-020 (Parcel 5 of the Bryan County Wilma Edwards Road/Church of God Road/HWY 280 Roundabout Project), Owner: TRAVIS B. MOORE and DIANE H. MOORE –** This item authorizes Bryan County, Georgia, to acquire from Travis B. Moore and Diane H. Moore, certain right-of-way and easement rights upon the property lying in Bryan County, Georgia, identified as Tax Parcel ID No. 0251-020 (the "Property"). The County shall pay \$8,400.00 in exchange for the right-of-way and easement rights upon the Property. This Right of Way Deed grants the County fee simple right-of-way rights and an easement for construction of drives. The Property is located at 8847 E HWY 280, Bryan County, Georgia. A motion was made by Noah Covington and seconded by Wade Price to approve a Resolution authorizing Acquisition of Fee Simple Right-of-Way and Easement Interests from Parcel 0251-020 for the Wilma Edwards and Church of God Road/HWY 280 Roundabout Project. Vote 4:0, motion carried unanimously.

*** Consideration of a Resolution to Authorize Acquisition of Fee Simple Right-of-Way and Easement Interests from Tax Parcel 0251-019 (Parcel 9 of the Bryan County Wilma Edwards Road/Church of God Road/HWY 280 Roundabout Project), Owner: TRAVIS B. MOORE and DIANE H. MOORE –** This item authorizes Bryan County, Georgia, to acquire from Travis B. Moore and Diane H. Moore, certain right-of-way and easement rights upon the property lying in Bryan County, Georgia, identified as Tax Parcel ID No. 0251-019 (the "Property"). The County shall pay \$25,828.00 in exchange for the right-of-way and easement rights upon the Property. This Right of Way Deed grants the County fee simple right-of-way rights and a temporary easement for construction of drainage and slopes. The Property is located at 8905 E HWY 280, Bryan County, Georgia. A motion was made by Noah Covington and seconded by Gene Wallace to approve a Resolution authorizing Acquisition of Fee Simple Right-of-

Way and Easement Interests from Parcel 0251-019 for the Wilma Edwards and Church of God Road/HWY 280 Roundabout Project. Vote 4:0, motion carried unanimously.

*** Consideration of a Resolution to Authorize Acquisition of Fee Simple Right-of-Way and Easement Interests from Tax Parcel 0631-095 (Parcel 5 of the Bryan County S.R. 144/Oak Level Road Compact Roundabout Project), Owner: GEORGIA FORESTRY COMMISSION, GEORGIA DEPARTMENT OF NATURAL RESOURCES, and THE STATE OF GEORGIA** – This item authorizes Bryan County, Georgia, to accept from the State of Georgia, through and by the Georgia Forestry Commission (the “Commission”), a quitclaim deed for certain right-of-way and easement rights upon the property lying in Bryan County, Georgia, identified as Tax Parcel ID No. 0631-095 (the “Property”). The Commission shall execute the quitclaim deed for the Property to the County at no cost. The Property is located at S.R. 144 and Oak Level Road, Bryan County, Georgia. A motion was made by Gene Wallace and seconded by Dallas Daniel to approve a Resolution authorizing Acquisition of Fee Simple Right-of-Way and Easement Interests from Parcel 0631-095 for the S.R. 144/Oak Level Road Compact Project. Vote 4:0, motion carried unanimously.

*** Consideration of a Resolution to Condemn a property interest in Tax Parcel 0631-095, Bryan County, Georgia (Parcel 5 of the Bryan County S.R. 144/Oak Level Compact Roundabout Project; Owner: INTERNATIONAL PAPER COMPANY, a Tennessee corporation); to authorize the Chairman to execute documents in furtherance of the same; to authorize the County Attorney to proceed with proceedings in furtherance of the same; estimated just and adequate compensation** – The County is proceeding with the Bryan County S.R. 144/Oak Level Road Compact Roundabout Project for the purposes of constructing a right-of-way to provide a suitable, safe, and reliable roundabout at the intersection of S.R. 144 and Oak Level Road for the benefit and use of the public at large. This item for consideration is to condemn and acquire certain property owned by International Paper Company, a Tennessee corporation, known as Bryan County Pin No. 0631-095. The assessed value for said property is \$5,634.78. A motion was made by Dallas Daniel and seconded by Gene Wallace to approve the Declaration of Taking, Order and Resolution to Condemn Property for Parcel # 0631-095 and authorize the County Attorney to initiate and maintain condemnation proceedings to acquire the property necessary for the purposes of facilitating the S.R. 144/Oak Level Road Compact Roundabout Project. Vote 4:0, motion carried unanimously.

*** Consideration of a Resolution to Authorize Acquisition of Fee Simple Right-of-Way and Easement Interests from Tax Parcel 054-055 (Parcel 1 of the Bryan County Brisbon Road/Harris Trail Roundabout Project), Owner: DEACONS OF ZION BAPTIST CHURCH** – This item authorizes Bryan County, Georgia, to acquire from the Deacons of Zion Baptist Church, certain right-of-way rights upon the property lying in Bryan County, Georgia, identified as Tax Parcel ID No. 054-055 (the “Property”). The County shall pay \$7,500.00 in exchange for the right-of-way and easement rights upon the Property. This Right of Way Deed grants the County fee simple right-of-way and easement rights. The Property is located at 1140 Brisbon Road, Bryan County, Georgia. A motion was made by Gene Wallace and seconded by Dallas Daniel to approve a Resolution authorizing Acquisition of Fee Simple Right-of-Way and Easement Interests from Parcel 054-055 for the Brisbon Road/Harris Trail Roundabout Project. Vote 4:0, motion carried unanimously.

There were no public comments made.

At 6:03 p.m. a motion was made by Noah Covington and seconded by Dallas Daniel to go into Executive Session for the purposes of litigation, real estate and personnel. Vote 4:0. Motion carried unanimously.

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

The meeting was adjourned at 6:36 p.m.