

Bryan County Board of Commissioners – July 13, 2021

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, July 13, 2021 in Pembroke. The following members were present: Chairman Carter Infinger, Commissioner Noah Covington, Commissioner Wade Price, Commissioner Dallas Daniel and Commissioner Gene Wallace. Also present: County Administrator Ben Taylor, Deputy Clerk Charlene Butler and County Attorney Lea Holiday.

Chairman Infinger called the meeting to order at 5:30 p.m. and the invocation was given by Commissioner Noah Covington. Everyone joined in the pledge of Allegiance. Visitors were recognized.

A motion was made Noah Covington and seconded by Wade Price to approve the agenda with the exception to exclude item #4 and item #11 of the County Administrator items. Motion carried unanimously

A motion was made by Gene Wallace and seconded by Wade Price to approve the minutes of the June 2021 meetings as presented. The motion carried unanimously.

A motion was made by Noah Covington and seconded by Wade Price to approve the Consent Agenda items as submitted. The motion carried unanimously.

The following items were listed on the **consent agenda**:

1. Update Commissioner's Expense Reimbursement
2. Budget Amendment for County Building Renovations

A motion was made by Noah Covington and seconded Wade Price to close the regular meeting to hold Planning & Zoning **Public Hearings**. The motion carried unanimously.

Amanda Clements and Audra Miller met with the Board on Community Development issues.

1. Amendment of the Bryan County Engineering Design Manual - Resolution to amend the Engineering Design Manual to address changes to Article 3 - "Roadways". No one was present to speak on this item.

2. Second Reading of Ordinance to Amend Section 114-366(o)(4) of the United Development Ordinance -This ordinance revises section 114-366(o) (4) of the Unified Development Ordinance ("UDO") which addresses the timing for having to complete the final asphalt surfaces in conjunction with changes to Article 3 "Roadways". No one was present to speak.

3. Annual Update of the Capital Improvement Element to the Georgia Department of Community Affairs - Per state law Capital Improvement Element and Impact Fees require an annual update submitted to the Georgia Department of Community Affairs ("DCA") by the October 31, 2021 deadline. No one was present to speak on the topic.

A motion was made by Gene Wallace and seconded by Dallas Daniel to close the **Public Hearings** and return to the regular session. Motion carried unanimously.

Sara Farr-Newman presented Community Development item for consideration.

***First Reading of an Ordinance** - The first reading of an ordinance to amend the Unified Development Ordinance (“UDO”) for Special Events and Event Venues was held. This is a first reading and no action was taken.

***Bryan County Engineering Design Manual** - A resolution to amend the Engineering Design Manual (“EDM”) which addresses changes to Article 3 – “Roadways” was presented. A motion was made by Noah Covington and seconded by Dallas Daniel to approve the resolution adopting the amendment to the Engineering Design Manual (“EDM”). The motion carried unanimously.

***Second Reading of an Ordinance** – A second reading was held on an Amendment to Section 114-366(o)(4) of the Unified Development Ordinance and Engineering Design Manual was held. A motion was made by Gene Wallace and seconded by Wade Price to approve the Ordinance to amend Section 114-366(o) (4) of the Unified Development Ordinance and Engineering Design Manual. The motion carried unanimously.

***Resolution authorizing transmittal of annual update of the Capital Improvement Element** - Bryan County adopted a Capital Improvement Element “CIE” to the Bryan County 2018 Comprehensive Plan Update (“Comp Plan”) January 8, 2019, and amended the CIE March 13, 2020 and July 14, 2020. The CIE addresses transportation-related capital improvements and include, as part of the CIE, the Impact Fee Analysis Report for the Unincorporated South Bryan County Transportation Impact Fee District. Per state law regarding CIEs and Impact Fees, the County is required to prepare an annual update and submit the update to the Georgia Department of Community Affairs (“DCA”). As part of this process, the County must prepare the required documents, hold a public hearing, adopt a resolution and submit the update to the DCA a minimum of 60 days prior to the County’s reporting deadline. The County’s reporting deadline is October 31, 2021. The County is required to submit financial information (impact fees collected, project expenditures and ending balance) and status report on the schedule of improvements. A motion was made by Noah Covington and seconded by Wade Price to approve the Resolution authorizing the annual update to the Georgia Department of Community Affairs (“DCA”).

Ben Taylor, County Administrator met with the Board on several issues.

***Constitutional Right Resolution** - A Resolution to recognize the values that come from a free county where the right of freedom of speech and assembly, the right to keep arms, practice religion, be free of unlawful arrest, or search and seizure, the right to a fair trial before a jury of peers without fear of excessive fine or cruel or unusual punishment are the foundations of each citizen’s rights in this country was presented for adoption. A motion was made by Wade Price and seconded by Gene Wallace to approve the adoption of the Resolution. The motion carried unanimously.

***Bryan County Family Violence Court - Drug Treatment Funding** – Judge Tomlinson is requesting initial funding of \$50,000 from the Bryan County DATE Funds to fund drug and alcohol treatment for Bryan County residences that are defendants of the Bryan county Family Violence Court that have issues with substance abuse or anger issues. A motion was made by Dallas Daniel and seconded by Wade Price to approve the funding of \$50,000 from the DATE Funds for the Bryan County Family Violence Court for drug and alcohol treatment. The motion carried unanimously.

***Drug Court and Veteran Treatment Court Funding** - The Atlantic Judicial Circuit Judges requested funding from DATE (Drug Abuse Education and Treatment) funds to help fund the Drug Court and Veterans Treatment Court. Georgia Law requires DATE funds be used specifically to fund and support Drug Court that serves the county. A motion was made by Gene Wallace and seconded by Noah Covington to approve funding of \$10,000 (\$5,000 for each court) from the DATE Funds for the Atlantic Judicial Circuit Drug Court and the Atlantic Judicial Circuit Veterans Treatment Court. The motion carried unanimously.

***Georgia Department of Corrections - Offender Work detail Agreements** – A discussion was held to enter into an agreement with the Georgia Department of Corrections for three (3) work details. The details consist of a maximum of ten (10) offenders under the supervision of one full-time correctional officer to work on the Bryan County Recreation Department grounds. A motion was made by Noah Covington and seconded by Dallas Daniel to authorize the County Administrator to execute the work detail agreement with the Georgia Department of Corrections. The motion carried unanimously.

***Georgia Department of Natural Resources - Operations and Maintenance Agreement** –The Wildlife Resources Division of Georgia Department of Natural Resources operates a public boat ramp at Morgan’s Bridge on the Ogeechee River. DNR has operated this facility via an Operation & Maintenance Agreement. Bryan County has assisted with routine maintenance as provided in the Operations & Maintenance Agreement. The agreement is up for renewal. A motion was made by Wade Price and seconded by Gene Wallace to approve the Resolution and authorize the renewal of the Operations & Maintenance Agreement with the GA DNR for the Morgan’s Bride Boat Ramp. The motion carried unanimously.

***McLendon LAS Contract – Change Order # 3** - McLendon Enterprises was awarded a construction contract on November 10, 2020 in the amount of \$2,542,987. In order to better serve the WTF as well as address anticipated system demand from both within the Interstate Centre Industrial Park and the surrounding area and to meet future needs associated with the MBR Water Reclamation Facility projected to be sited adjacent to the current WTF, it has been determined that a 16” diameter water main is required. Due to the proximity of a portion of the proposed water main to the LAS site, as well as the other facilities described above, it is in the County’s best interest to proceed with that portion of the planned water improvements under the contract with McLendon. The additional work will consist of approximately 1000 LF of pipe and associated appurtenances. A motion was made by Wade Price and seconded by Noah Covington to approve McLendon change order #3 in the amount of \$134,311.92 for the installation of 16 inch diameter water main. The motion carried unanimously.

***Force Main Design – Thomas & Hutton Task Order #46** – A motion was made by Noah Covington and seconded by Wade Price to approve Thomas & Hutton scope of services and authorize the Chairman to execute Task Order #46 in the amount of \$495,600 for engineering design services in conjunction with HWY 80 North Bryan IDR Sewer Conveyance System. The motion carried unanimously.

***Water and Sewer Agreement Amendment – Chesterfield LLC** – Chesterfield, LLC has previously entered into a Water & Sewer Agreement with Bryan County in conjunction with the development of certain property bound by Warnell Farms Road, US Highway 80, Brooks Road and Eldora Road in Bryan County, consisting of approximately 816 acres which is the combination of the Blitchton Timberland Tract (parcel Number 033-028-01), Alcova/Slater Tract (parcel number 029-023-01 and parcel number 029-023, hereinafter referred to as the Georgia International Commerce Center (GICC). The amendment to the Agreement will provide for minimal interest payments to be paid by the County to the Developer on the outstanding debt incurred as a result of the water and sewer improvement being constructed by the Developer in conjunction with the terms of the Agreement. A motion was made by Dallas Daniel and seconded Noah Covington by to authorize the Chairman to execute the Water and Sewer Agreement amendment between Bryan County Board of Commissioners and Chesterfield, LLC. The motion carried unanimously.

*** North Bryan Transportation Study Supplemental TIA** – In 2018 Bryan County engaged Thomas & Hutton to prepare a transportation study to establish a baseline transportation conditions, existing levels of service, identifying anticipated increases in traffic volumes through the horizon year of 2040. Due to the anticipated growth in North Bryan, particularly along the US 80 and US 280 corridors, and in conjunction with the newly formed North Bryan Industrial Development Region (IDR), Thomas & Hutton has been engaged to prepare a supplemental Transportation Impact Analysis (TIA) which identifies specific recommendations for transportation improvements at the US 80 and US 280 intersection and also along their respective corridors. The improvements identified in the TIA serve as the basis for the individual Transportation Improvement Contribution Agreements that are required as part of the development review process with the North Bryan IDR. A motion was made by Gene Wallace and seconded by Dallas Daniel to approve the resolution adopting the North Bryan Transportation Study Supplement TIA. The motion carried unanimously.

***Development Authority Appointments and Reappointments** – The Development Authority of Bryan County recommended candidates for appointment and reappointment to the Board of Directors. A motion was made by Noah Covington and seconded by Wade Price to reappoint Mark Bolton and Don Montgomery as well as approve appointment of Garrett Shurling and Trip Addison to the Development Authority of Bryan County Board of Directors. The motion carried unanimously. Terms will be for four (4) years ending July 31, 2025.

***Sewer Service Agreement Amendment – City of Richmond Hill.** The City of Richmond Hill requested an amendment to the Sewer Agreement for the wholesale purchase of 225,000 GPD of sewage treatment capacity with the City of Richmond Hill's wastewater treatment facility for southern unincorporated Bryan County. The Amendment (p 5) sets reduced BOD and TSS limits for the waste stream that will be conveyed to the City's existing sewer collection and conveyance system. In addition, it adds a clause regarding the quality of discharge into the stream. A motion was made by Wade Price and seconded by Dallas Daniel to approve the Sewer Service Agreement with the City of Richmond Hill for purchase of sewage treatment capacity. The motion carried unanimously.

***Intergovernmental Agreement – Savannah Harbor – Interstate 16 Corridor Joint Development Authority, Bryan County, Georgia and Chatham County, Georgia** – This is an intergovernmental agreement between the Savannah Harbor – Interstate 16 Corridor Joint Development Authority, Bryan County and Chatham County to provide funding for the purpose of purchasing certain real estate that it intends to purchase for the development of a mega-site to attract a regionally impactful project. In order to provide funds to the JDA to acquire the Project, Bryan County and Chatham County will each provide up to nine million dollars (9,000,000.00) to the Authority on or before the acquisition of the property. Bryan County’s fund source for the \$9,000,000 will be from land sells generated by the Development Authority of Bryan County. Fund will be transferred from the DABC to Bryan County so that they may be relayed to the JDA for the purpose of the mega-site’s acquisition. In addition to the financial contribution to the effort, the agreement state that any PILOT (Payment in Lieu of Taxes) Revenue will be first be used by the Authority to repay both Bryan County and Chatham County., in equal payments, for their capital investment in the project in a manner agreeable to each of the parties to this Agreement. A motion was made by Dallas Daniel and seconded by Gene Wallace to authorize the Chairmen to execute the Intergovernmental Agreement to provide funding for the purpose of the purchasing certain real estate for the development of a mega-site. The motion carried unanimously.

Public Comments:

Doyle Kelly, Thomas & Hutton gave a presentation on the proposed traffic improvements for the North Bryan Interstate area. Improvements could include multiple roundabouts and traffic signals. GDOT is reviewing data and necessary improvements are planned in near future.

Stephanie Jones Heape – Presented the concept of a Community Center in the Groover Hill area for senior and teens to have a place to meet for activities. She is seeking input from Bryan County as to any resources it may be able to contribute. She stated the land for the proposed site had been donated.

Adjournment – A motion was made by Noah Covington and seconded by Dallas Daniel to adjourn the meeting. The motion carried unanimously. The meeting adjourned at 6:25 p.m.