

Bryan County Board of Commissioners – August 10, 2021

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, August 10, 2021 in Richmond Hill. The following members were present: Chairman Carter Infinger, Commissioner Brad Brookshire, Commissioner Dallas Daniel, Commissioner Noah Covington, Commissioner Gene Wallace and Commissioner Wade Price. Also present: County Administrator Ben Taylor, County Clerk Lori Tyson, and County Attorney Lea Holliday.

Chairman Infinger called the meeting to order at 5:32 p.m. Commissioner Brookshire gave the invocation and everyone joined in the Pledge of Allegiance. Visitors were recognized, including new Assistant County Administrator, Kathryn Downs.

A discussion was held on the agenda to add Executive Session to discuss real estate. A motion was made by Brad Brookshire and seconded by Wade Price to approve the agenda with discussed changes. Motion carried unanimously.

A motion was made by Noah Covington and seconded by Wade Price to approve the minutes of the July 2021 meetings as presented. Motion carried unanimously.

A motion was made by Gene Wallace and seconded by Brad Brookshire to close the regular meeting and go into the Public Hearing. Motion carried unanimously.

*2nd Reading of an Ordinance to Amend the UDO Article VII- Supplemental Conditions for Specific Uses – No one was present to speak on this matter.

* VTRE Development, LLC, Amendment to the Future Land Use Map of the Comprehensive Plan – No one other than the applicant was present to speak on this matter.

*2nd Reading of an Ordinance to Amend the Official Zoning Map - Case Z#242-21, VTRE Development, LLC – No one other than the applicant was present to speak on this matter.

*2nd Reading of an Ordinance to Amend the Official Zoning Map - Case Z#245-21, Sherman and Hemstreet Real Estate Co. – No one was present to speak on this matter.

* CUP#173-21, Parallel Infrastructure – No one other than the applicant was present to speak on this matter.

A motion was made by Brad Brookshire and seconded by Dallas Daniel to close the Public Hearing and return to the regular meeting. Motion carried unanimously.

*2nd Reading of an Ordinance to Amend the UDO Article VII- Supplemental Conditions for Specific Uses – Staff is recommending revisions to the Unified Development Ordinance (UDO) to address commercial operations dedicated to hosting and conducting private social events, such as weddings, receptions, corporate functions and meetings, etc. These revisions will establish definitions for “Private Event Venues” and “Rural Event Venues” and allow Private Event Venues as a permitted use in the “B-1”, “B-2”, and “C-1” Zoning Districts, and Rural Event Venues as a conditional use with supplemental conditions in the “A-5” Zoning District. A motion was made by Gene Wallace and seconded by Noah Covington to approve the Second Reading of an Ordinance to Amend Article VII – Supplemental Conditions for Specific Uses – of the Unified Development Ordinance. Motion carried unanimously.

* VTRE Development, LLC, Amendment to the Future Land Use Map of the Comprehensive Plan- VTRE Development, LLC, is requesting a Comprehensive Plan Amendment to amend the North Bryan County Character Areas and Future Land Use Map, by changing the classification of the property located at 11880 and 11936 Hwy 280, from “Commercial Corridor”/ “Low Density and Agricultural” to “Industrial”. PIN# 034-020 and 034-020-01. A motion was made by Brad Brookshire and seconded by Wade Price to amend the Comprehensive Plan’s Future Land Use Map to designate the proposed parcels for Industrial use, in support of the rezoning of the property. Motion carried unanimously.

* 2nd Reading of an Ordinance to Amend the Official Zoning Map - Case Z#242-21, VTRE Development, LLC, requesting the rezoning of 10.66 acres located at 11936 US Hwy 280, PIN# 034-020 and 034-020-01. The applicant is requesting the property be rezoned to the “I-2”, General District, from its current “RR-1” Rural Residential District zoning. Brent Rogers, representative for VTRE Development, LLC, spoke requesting that Staff’s condition no be placed upon them. A motion was made by Brad Brookshire and seconded by Noah Covington to approve the Ordinance Amendment, not with Staff’s recommendation, but with the condition that if buildings are constructed that fit the industrial zoning outside of the road that is planned, that the applicant work with staff on a general master plan agreement, in relation to traffic and water and sewer. Motion carried unanimously.

* 2nd Reading of an Ordinance to Amend the Official Zoning Map - Case Z#245-21, Sherman and Hemstreet Real Estate Co., requesting the rezoning of 1.30 acres located at 5021 Wilma Edwards Road, PIN# 0251-011. The applicant is requesting the property be rezoned to the “B-1”, Neighborhood Commercial District, from its current “RR-1” Rural Residential District zoning. The applicant is seeking the rezoning to “B-1” for neighborhood commercial uses. This application was originally presented to the Planning and Zoning Commission at their June 15th meeting. At that time, staff recommended that the item be deferred because the application lacked sufficient information to justify the rezoning of the property. The Planning and Zoning Commission deferred the application to their July 20th meeting, at which time the applicant presented a conceptual plan for the use of the property and provided additional statements regarding the property’s suitability for commercial uses over the existing residential use. A motion was made by Noah Covington and seconded by Wade Price to approve Case Z#245-21 and the rezoning of said property as requested. Motion carried unanimously.

* CUP#173-21, Parallel Infrastructure - Case CUP#173-21, Parallel Infrastructure requesting a Conditional Use Permit to construct a 330’ guyed tower facility on the northwest portion of the property and to reduce the required setback for the tower from 330’ to 315’. The property is located on Highway 204 near Little Creek, PIN# 036-013 in unincorporated Bryan County, Georgia. A motion was made by Noah Covington and seconded by Wade Price to approve CUP#173-21 with the following conditions: 1. Additional plantings shall be provided along the southwest property line in order to enhance the existing buffer and soften the visual impact of the tower from Highway 204. The buffer and landscape plan shall be submitted in conjunction with the building permit for review. 2. The tower and fenced compound shall be designed to accommodate at least four or more providers in accordance with Section 113-30(2) of the Bryan County Telecommunications Antennas ordinance. 3. The tower shall be setback at least 315’ from the northwest and southwest property lines. Motion carried unanimously.

Audra Miller and Amanda Clement met with the Commissioners on Non-Public Hearing Items.

* First Reading of an Ordinance to Amend Section 114-1003(C) of and add Exhibit 1002d to the Unified Development Ordinance (“UDO”) - This ordinance revises Section 114-1003(c) of the UDO, which will allow the Engineering Director to waive the curb and gutter requirement for roads constructed in the

General Industrial (I-2) zoning district and will add an exhibit to address design requirements for roads built in the I-2 zoning district without curb and gutter. The ordinance is being presented for a first reading only with no official action to be taken. The item will be scheduled for a Public Hearing with the Planning and Zoning Commission on August 17th, and a Public Hearing and 2nd Reading of the Ordinance with the Board of Commissioners on September 14th.

* First Reading of an Ordinance to Amend Section 114-521 (Exhibit 521) of the Unified Development Ordinance (“UDO”) - This ordinance revises Section 114-521, Exhibit 521, of the UDO, which will increase the maximum height of structures in the Light Industrial (I-1) Zoning District to 50 feet and increase the maximum height of structures in the General Industrial (I-2) Zoning District to 80 feet. The ordinance is being presented for a first reading only with no official action to be taken. The item will be scheduled for a Public Hearing with the Planning and Zoning Commission on August 17th, and a Public Hearing and 2nd Reading of the Ordinance with the Board of Commissioners on September 14th.

* First Reading of an Ordinance to Amend Section 114-634(b)(5) of the Unified Development Ordinance (“UDO”) - This ordinance revises Section 114-634(b)(5), of the UDO, which will increase the maximum allowable amount of trees within a wetland to count toward minimum tree canopy coverage from 50 percent to 75 percent in the General Industrial (I-2) zoning district. The ordinance is being presented for a first reading only with no official action to be taken. The item will be scheduled for a Public Hearing with the Planning and Zoning Commission on August 17th, and a Public Hearing and 2nd Reading of the Ordinance with the Board of Commissioners on September 14th.

* Coastal Highway LLC, First Reading of an ordinance to amend the Zoning Map for parcel #0471-001 - Case Z#250-21, Coastal Highway LLC, requesting a rezoning for approximately 45.97 acres located on Highway 17. The property is currently zoned “B-2” General Commercial and “RR-1” Rural Residential and they are requesting “B-2” General Commercial and “R-M” Multi-family Residential. The rezoning is being requested for the use of a Commercial/Townhome Development. PIN#0471-001. The ordinance is being presented for a first reading only, with no official action to be taken. The item will be scheduled for a Public Hearing with the Planning and Zoning Commission on August 17th, and a Public Hearing and 2nd Reading of the Ordinance with the Board of Commissioners on September 14th.

* Resolution Adopting the Annual Update of the Capital Improvement Element - Bryan County (“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, 2019 (officially adopted May 9, 2019). A second amendment to the CIE was adopted October 13, 2020. The CIE addresses transportation-related capital improvements and includes, 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”). The DCA approved the Annual Update on July 28, 2021. The County is required to formally adopt the Annual Update, and upon doing so, the County will maintain its qualified local government status. Staff is presenting the formal resolution adopting the Annual Update. A motion was made by Brad Brookshire and seconded by Gene Wallace to approve the Resolution Adopting the Annual Update of the Capital Improvement Element. Motion carried unanimously.

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

* Millage Rate Establishment- The five-year history has been advertised on the adoption of the 2021 millage rate. The recommendation is to adopt a “roll back” millage rate of 7.999 for the

unincorporated areas of Bryan County, as well as for the cities of Pembroke and Richmond Hill. Also adopt the millage rate of 15.075 for the Board of Education and 1.5 for the School Bond Debt Service. A motion was made by Wade Price and seconded by Brad Brookshire to approve and adopt the 2021 Millage Rate Resolution. Motion carried unanimously.

* Residential Garbage 2021 Credit- Bryan County Board of Commissioners solicited residential solid waste vendors back in 2020 via an RFP. The outcome, which resulted in the selection of Atlantic Waste Services as the new vendor, was a substantial savings for the County. Therefore, we are recommending a \$20 credit to all County Residents on their trash bills. This \$20 credit for the over 10,055 residents will save the taxpayers of Bryan County over \$201,000 this year. A motion was made by Noah Covington and seconded by Wade Price to approve a \$20 Residential Solid Waste credit for all residents for 2021. Motion carried unanimously.

* Intergovernmental Agreement with City of Pembroke, EMS Location- Bryan County Fire & Emergency Services is always evaluating and looking to enhance its services to the citizens of Bryan County. Ambulances are strategically located around the county based on population/ISO and response needs. The City of Pembroke has a heightened population during weekday business hours This EMS substation will allow for the EMS unit to be located centrally within the city during peak occupancy times. The EMS unit will utilize this location Monday through Friday from the approximate hours of 8:00 am until 8:00 pm contingent upon department staffing. A motion and was made by Noah Covington and seconded by Gene Wallace authorizing the Chairman to execute the Intergovernmental Agreement between the City of Pembroke and Bryan County, for the provision of the City of Pembroke EMS location. Motion carried unanimously.

* Richmond Hill – Bryan County Chamber of Commerce Tourism MOU- Staff recommends approval of the MOU with The Richmond Hill Bryan County Chamber of Commerce. In this MOU, Bryan County will pay \$10,000.00 for a sponsorship to the Chamber for the "Great Ogeechee Seafood Festival" to promote tourism in Bryan County, GA. A motion that was made by Brad Brookshire and seconded by Dallas Daniel authorizing County staff to execute MOU with The Richmond Hill Bryan County Chamber of Commerce. Motion carried unanimously.

* City of Richmond Hill Sewer Agreement- The City of Richmond Hill has requested a change to the Sewer Agreement for the wholesale purchase of 225,000 GPD of sewage treatment capacity within the City of Richmond Hill's wastewater treatment facility for southern unincorporated Bryan County. The new agreement reflects two changes: 1) An addition of a 50-year contract term 2) a cause reflecting that the sewer capacity available to Bryan County under this agreement shall never exceed 4 million gpd within the existing plant for a period of no more than twenty (20) years from the execution date of this agreement. A motion and was made by Dallas Daniel and seconded by Gene Wallace accepting the requested revisions as presented. Motion carried unanimously.

* Contract with IEM for Consulting Services for Disaster Recovery and FEMA Public Assistance- Staff did an RFQ for Consulting Services for Disaster Recovery and FEMA Public Assistance to assist the County before and after a disaster such as a Hurricane. The staff scored the RFQ's based on the following criteria and scored the proposals accordingly 1) Past performance on similar projects in terms of quality of work, cost control, and compliance with performance schedules (70 pts) 2) Price proposal, fee schedule and quality of package (30 pts). Staff is recommending award of the contract to IEM. A motion was made by Wade Price and was seconded by Noah Covington to approve staff to award a contract to IEM for Consulting Services for Disaster Recovery and FEMA Public Assistance. Motion carried unanimously.

* Georgia Department of Transportation approve the list of Roads for Bryan County (List 07202021) for the use of speed detection device. - The Georgia Department of Transportation has requested that the Bryan County Board of Commissioners adopt a resolution requesting that GDOT approve the list of Road for Bryan County (list 07202021) to be use of speed detection devices. The GDOT has verified all routes on the state's road system and the Bryan County Public Works Department has verified all routes on the County's road system. A motion was made by Noah Covington and seconded by Brad Brookshire to Adopt a resolution requesting that the Georgia Department of Transportation approve the list of Road for Bryan County (List 07202021) for the use of speed detection devices. Motion carried unanimously.

* Purchase 2021 John Deere 310SL Backhoe Loader for the Water & Sewer Dept. - John Deere 310SL Backhoe Loader Price-\$96,620.55, 48 Month/2,500-hour Maintenance Plan Price-\$9,910.00. Total Purchase Price-\$106,530.55 The Ga Statewide & Sourcewell discount for this piece of equipment is the same at \$81,174.73. The funds for this piece of equipment will come from our SPLOST 7 funds. A motion was made by Wade Price and seconded by Brad Brookshire authorizing staff to purchase a 2021 John Deere 310SL Backhoe Loader for the Water & Sewer Department. Motion carried unanimously.

* Award a Professional Services Contract to Before the Breach for IT Security Consulting Services. - Staff interviewed Before the Beach IT Consulting Services to work with the County's IT staff to review the County IT security and harden its security against any IT hacks. Before the Breach worked with Jackson County, GA on its recent ransomware attack. The contract amount for this scope of work is \$39,900 and is American Rescue Plan Act (ARPA) eligible. A budget amendment is necessary for these services. A motion was made by Brad Brookshire and seconded by Gene Wallace authorizing staff to award a professional services contract to Before the Breach for IT Security Consulting Services and approve the 2021 Budget Amendment as presented at this meeting in "Exhibit A". Motion carried unanimously.

* Appointments to Bryan County Library Board of Trustees - Lisa Freeman, Sherry Bath and John Hoskins are ending their current term on the Bryan County Library Board, and are seeking reappointment. A motion was made by Dallas Daniel and seconded by Wade Price to approve the appointments to the Bryan County Library Board of Trustees. Motion carried unanimously.

* Budget Amendment – Warren Hill Road Traffic Congestion Relief Project – Joint Project with the Bryan County Board of Education - The Bryan County Board of Education is currently in the process of adding additional class space to the Middle School Facility located on Warren Hill Road. In an effort to avoid increased traffic congestion during peak hours and to facilitate a rapid implementation schedule, County Staff and BOE Staff has devised a funding and implementation plan for additional vehicle stacking for peak student drop off and pick up times. The plan involves a short extension of Warren Hill Road to allow for a connection to an internal paved vehicle stacking driveway which can easily accommodate the increased volume. Bryan County Staff had originally devised a plan to provide an in-kind contribution from within the County labor pool for the project. However, the availability of funds and a change in the County's labor obligations make it more beneficial to just provide a cash match to the efforts. The Board of Education has already gone through the procurement process for a contractor to perform both aspects of the traffic congestion relief project and this contractor will perform the work. Staff is seeking authorization for a budget amendment in the amount of \$150,000 and authorization to enter into an agreement with the BOE to reimburse them for the appropriate County portion of the project and the

authorization of a budget amendment to fund the project. A motion was made by Gene Wallace and seconded by Dallas Daniel authorizing the budget amendment of \$150,000 Warren Hill Road Traffic Congestion Relief Joint Project and authorize the County Administrator enter into an agreement with the BOE to reimburse them for the appropriate County portion of the project not to exceed \$150,000. Motion carried unanimously.

Lindy Garrett, 360 Selina Lane, spoke on his desire to have Selina Lane paved.

Kathryn Johnson, Bryan County Richmond Hill Chamber of Commerce, gave thanks to the Board for their support in this year's festival.

Jennifer Fournier, 168 Bea Road, spoke in opposition to the rezoning of Z#250-21.

Ronnie Strickland, 190 Kelly Davis Road, spoke in opposition to the rezoning of Z#250-21.

Tony Beasley, 110 Bea Road, spoke in opposition to the rezoning of Z#250-21.

Commissioner Noah Covington gave appreciation to staff for their hard work in some of the items on the meeting's Agenda, in an effort to save resources to the citizens of Bryan County.

Commissioner Brad Brookshire announced his resignation from the Bryan County Board of Commissioners, due to his family's relocation outside of District 4. He expressed his gratitude to the Board and the citizens of Bryan County for their support during his time as Commissioner of District 4. Chairman Infinger presented Commissioner Brookshire with a plaque in appreciation for his service to Bryan County.

A motion was made by Dallas Daniel and seconded by Brad Brookshire to go into executive session to discuss real estate. Motion carried unanimously. The board went into executive session at 6:49 p.m.

A motion was made by Wade Price and seconded by Gene Wallace to go back into the regular meeting. Motion carried unanimously.

A motion was made by Brad Brookshire and seconded by Wade Price to adjourn. Motion carried unanimously.

The meeting was adjourned at 7:25 p.m.