

Bryan County Board of Commissioners – April 12, 2022

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, April 12, 2022, in Richmond Hill. The following members were present: Chairman Carter Infinger, Commissioner Andrew Johnson, Commissioner Dallas Daniel, Commissioner Noah Covington, Commissioner Gene Wallace and Commissioner Wade Price. Also present: County Administrator Ben Taylor, Assistant County Administrator Kathryn Downs, County Clerk Lori Tyson, and County Attorney Lea Holliday.

Chairman Infinger called the meeting to order at 5:33 p.m.

Pastor Brian Cooper from the Bethel Baptist Church gave the invocation along with a special thank you to the Commissioners, staff and the public for the outpouring support and work done in the past week after the tornado that affected north Bryan County.

Everyone joined in the Pledge of Allegiance and visitors were recognized.

A motion was made by Noah Covington and seconded by Andrew Johnson to approve the agenda as presented. Motion carried unanimously. Vote 5:0

A motion was made by Gene Wallace and seconded by Wade Price to approve the minutes of the March 2022 meetings as presented. Motion carried unanimously. Vote 5:0

A motion was made by Wade Price and seconded by Andrew Johnson to approve the Consent Agenda. Motion carried unanimously. Vote 5:0

A motion was made by Andrew Johnson and seconded by Gene Wallace to close the public meeting and open the public hearing.

Amanda Clement and **Sara Farr-Newman** met with the Commissioners on Non-Public Hearing Items.

At the request of the applicant's attorney, Community Development Public Hearing Item 7, **Turtle Landing Investments – PUD Amendment Magnolia Hill/Wexford Planned Unit Development**, was removed from the agenda. A motion was made by Dallas Daniel and seconded by Gene Wallace for the request to be tabled for two months until the June meeting. Motion carried unanimously. Vote 5:0

* Coastal Highway, LLC, Sketch Plat River Crossings Subdivision Parcel 0471-001- Coastal Highway, LLC, requesting a sketch plat for the "River Crossings" subdivision to be located on Highway 17. The property is zoned "RM" Multi-family Residential. The Sketch Plat that is being presented proposes 265 townhouse units/lots. PIN# 0471-001. The applicant was present and no public comments were made. A motion was made by Gene Wallace and seconded by Wade Price to approve the sketch plat with the following conditions: 1. All required GDOT approvals/permits shall be obtained prior to the issuance of construction plan approval. 2. All on-site improvements to include the site access points at Hwy 17 and Sgt Michael Larson Drive shall be constructed prior to the approval of a final plat. 3. All other off-site improvements required by GDOT (and as specified in the approved TIA) shall be constructed and operational prior to the issuance of the first certificate of occupancy. 4. The covenants and restrictions for the development should adequately address parking rules and regulations for the community. A copy of the covenants and restrictions shall be submitted to the County prior to the approval of a final plat. Motion carried unanimously. Vote 5:0

* Z#256-21 Vicki Hitt, Second Reading of an Ordinance to Amend the Zoning Map for 5.01 acres – Parcel 062-045 - Case Z#256-21, Vicki Hitt, requesting the rezoning of an approximately 5.01-acre tract of land fronting Rathlin Rd, PIN# 062-045. The applicant is requesting the property be rezoned to the “RR-2.5”, Rural Residential District, from its current “A-5”, Agricultural District zoning. The applicant is seeking the rezoning to “RR-2.5” Rural Residential for two new single-family lots. The applicant was present and no public comments were made. A motion was made by Dallas Daniel and seconded by Noah Covington to approve Z#256-21 from A-5 to RR-2.5 Motion carried unanimously. Vote 5:0

* Vicki Hill, Sketch Plat Rathlin Rd. Subdivision Parcel 062-045- Vicki Hitt, requesting the approval of a sketch plat for Parcel # 062-045. The applicant is requesting the sketch plat in order to divide the parcel into two lots less than five years after a previous minor plat. Both lots will be accessed via Rathlin Road. No public comments were made. A motion was made by Noah Covington and seconded by Dallas Daniel to approve the sketch plat with the following conditions: 1. The property owner must file an application with the County’s Public Health Department for final review and approval of the use of individual septic systems. Public Health approval will need to be obtained prior to the recording of the final plat. 2. A final plat, following the County’s Plat Requirement checklist, will need to be submitted for final execution and recording. Motion carried unanimously. Vote 5:0

* Z#258-21 Harry Ferrel, Second Reading of an Ordinance to Amend the Zoning Map for one acre – Parcel number 063-037 Case Z#258-21, Harry Ferrel, requesting the rezoning of an approximately 1-acre tract of land on Michael Dr, PIN# 063-037. The applicant is requesting the property be rezoned to the “RR-1.5”, Rural Residential District, from its current “R-15”, Single Family Residential District zoning. The applicant is seeking the rezoning to “RR-1.5” Rural Residential in order to combine the property with an adjacent lot. A motion was made by Andrew Johnson and seconded by Dallas Daniel to approve Z#258-21 from R-15 to RR-1.5. Motion carried unanimously. Vote 5:0

* DSP Acquisitions, LLC – Comprehensive Plan Amendment –North Bryan Future Land Use Map for Parcels 029-001-04 and 029-001-05 - DSP Acquisitions, LLC, 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 11900 Hwy 280, from “Commercial Corridor”/ “Low Density and Agricultural” to “Industrial”. PIN# 029-001-04 and 029- 001-05. No public comments were made. A motion was made by Andrew Johnson and seconded by Wade Price to approve the Comprehensive Plan Amendment for DSP Acquisitions, LLC and Parcel #029-001-04 and 029-001-05. Motion carried unanimously. Vote 5:0

* Z#259-21 - DSP Acquisitions, LLC, Second Reading of an Ordinance to Amend the Zoning Map for 5.0 acres – Parcel 029-001-04 – Applicant is requesting the rezoning of approximately 5 acres of land located at 11900 Hwy 280, PIN# 02-011-04. The applicant is requesting the property be rezoned to the “I-2”, General Industrial District, from its current “A-5”, Agricultural District zoning. The applicant was present but no public comments were made. A motion was made by Noah Covington and seconded by Andrew Johnson to **approve** Case Z#259-21 and the rezoning of Parcel #02-011-04 from A-5 to I-2. Motion Carried unanimously. Vote 5:0

* CUP#176-21 RMDC, Inc., Conditional Use for Multi-Family Dwellings Parcel 054-047 - RMDC, Inc. requesting a Conditional Use Permit for a multi-family dwelling (apartment) development to be located on Harris Trail Road, PIN# 054-047. The applicant was present for questions. Doug Adams spoke in opposition to the request. Ashley Graves spoke in opposition to the request. Veronica Delacruz spoke

in opposition to the request. Christy Kutz spoke in opposition to the request. Robyn Thompson spoke in opposition to the request. A motion was made by Dallas Daniel and seconded by Gene Wallace to table the request for two (2) months until the June meeting. Motion carried unanimously. Vote 5:0

*CUP#177-22 Becca Aronowitz, Conditional Use for Home Occupation (bakery) Parcel 061-066-007-342 – Applicant is requesting a conditional use permit for a home service business at 4350 Castleoak Drive, PIN# 061-66-007-342. The applicant is requesting the CUP in order to run a bakery out of her home. This is required for any home service business located in a “PD”, Planned Development, Zoning District. The applicant was present to answer questions. Julie Pacenka spoke in favor of the application. A motion was made by Gene Wallace and seconded by Andrew Johnson to approve CUP#177-22 for the purpose of a home business. Motion carried unanimously. Vote 5:0

A motion was made by Andrew Johnson and seconded by Gene Wallace to close the Public Hearing and return to the Open Meeting. Motion carried unanimously. Vote 5:0

Amanda Clement and **Sara Farr-Newman** presented the following Non-Public Hearing items to the Commissioners:

* Z#260-22 Blue Ridge Flats LLC, First Reading of an Ordinance to Amend the Zoning Map for 1.96 acres – Parcel 0251-040-01 - Case Z#260-22, Blue Ridge Flats, LLC, requesting the rezoning of 1.96-acres on Highway 280, PIN# 0251-040-01. The applicant is requesting the property be rezoned to the “B-2”, General Commercial District, from its current “R-15”, Single-family Residential District zoning. The applicant is seeking the rezoning to “B-2” General Commercial District in order to permit an animal hospital. This 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 April 19, 2022, and a Public Hearing and 2nd Reading of the Ordinance with the Board of Commissioners on May 10, 2022.

* Z#262-22 Cove 2 Coast First Reading of an Ordinance to Amend the Zoning Map for 3.10 acres – Parcel 048-015 - Case Z#262-22, Jason Bryant of Pittman Engineering representing 20/20 Development, LLC, requesting the rezoning of two approximately 3.162-acre tracts of land on the corner of Blake Street and Bryce Streets, PIN# 048-01-017-001 and 048-01-018-001. The applicant is requesting the property be rezoned to the “I-1”, Light Industrial District, from its current “I-2”, General Industrial District zoning. The applicant is seeking the rezoning to “I-1” Light Industrial District in order to permit truck sales. This 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 April 19, 2022, and a Public Hearing and 2nd Reading of the Ordinance with the Board of Commissioners on May 10, 2022.

Ben Taylor gave a tornado recovery update to the Board of Commissioners.

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

* **Atlantic Waste Contract Amendment** - Last year Bryan County entered into a contract with Atlantic Waste for Residential Waste Collection and Recycling. The contract was awarded based on a rate of \$9.75 for Residential Waste Collection and \$4.50 for Recycling per custom per month for a combined total of \$14.25. The contract calls for a rate increase based on the CPI each year. The CPI increase is 6.85% for Residential Waste Collection in the US. This CPI rate hike equates to a price

increase of \$.98 or a new combined rate of \$15.23 per customer per month, however, Atlantic Waste is asking for an increase of \$2.00 or a combined rate of \$16.25 per customer per household. A motion was made by Dallas Daniel and seconded by Gene Wallace to approve Contract Amendment #1 that increases the Residential Waste Collection rate from \$9.75 to \$11.75 per customer per month for a combined rate (which includes recycling) of \$16.25 per customer per month. Motion carried unanimously. Vote 5:0

*** Appointment to the Bryan County Public Facilities Authority** - Both Dr. Gene Wallace (Chairman) and Mr. Sean Register serve on the Bryan County Public Facilities Authority. Their terms both will expired on May 31, 2022. Both Dr. Gene Wallace (Chairman) and Mr. Sean Register have expressed their interest in serving on this board for another 3-year term. Both have been very involved and attend all meetings, therefore, we are recommending that both Dr. Gene Wallace (Chairman) and Mr. Sean Register be appointed for another 3-year term which would expire on May 31, 2025. A motion was made by Noah Covington and seconded by Wade Price to Re-Appoint both Dr. Gene Wallace (Chairman) and Mr. Sean Register with a term to end on May 31, 2025. Motion carried unanimously. Vote 5:0

*** Bryan County Family Connection Fiscal Agent Authorization for FY 2022-2023** - Bryan County Family Connection is a part of Georgia Family Connection Partnership, a statewide initiative of 159 community collaborative partnerships. The BCFC Collaborative has built a team of diverse partners committed to improving the quality of life in Bryan County. Our collaborative coordinates a strategic planning process that identifies needs and resources, sets goals and priorities, evaluates programs and practices, and measures and reports results for Bryan County. A motion was made by Noah Covington and seconded by Andrew Johnson to approve the appropriate authority to authorize Bryan County to serve as Fiscal Agent for Bryan County Family Connection for FY23. Motion carried unanimously. Vote 5:0

*** Bryan County Summer Lunch Food Service Program Appointment for FY 2022-2023** - Bryan County Summer Food Service Program (SFSP) is a federally funded initiative that provides healthy meals at no cost for children in eligible areas during the summer months. This program has been operational in Bryan County for over 30 years. In 2021, the program served 21,063 meals to Bryan County children. Summer Lunch sites vary by size, location, and demographics and are located at community centers, parks, churches, summer camps, recreation centers, playgrounds, or other local community areas where children congregate. Due to federal requirements, an administrator of the program must be officially appointed by the Board to continue receiving federal funds. Mrs. Futch has long served with this responsibility. A motion was made by Dallas Daniel and seconded by Andrew Johnson appointing Mrs. Wendy Futch, Bryan County Family Connection Executive Director, to administer the Bryan County Summer Food Service Program for Fiscal Year 2022-2023. Motion carried unanimously. Vote 5:0

*** Bryan Fisherman's COOP Project Engineering and Permit Authorization Task Order** - In order to help offset the cost of the Bryan County Fisherman's COOP Project improvements, the County has applied for and was awarded a Conserve Georgia Grant through the Georgia Outdoor Stewardship Program. A requirement of the grant program is to submit a Phase 2 application so that a final agreement can be entered into with the State sometime in early fall of 2022. In order to prepare the Phase 2 application, begin preliminary survey and environmental work, and complete the engineering design/construction bid package for the project Thomas & Hutton has prepared the attached Task Orders for each respective undertaking. Task Order #74 provides for GOSP Grant application and permitting assistance; Task Order #75 provides for survey and obtaining all required environmental permits; Task Order #76 provides for engineering design phase services necessary for the design and

construction bidding of the project. A motion was made by Andrew Johnson and seconded by Gene Wallace to approve the Thomas & Hutton Scope of Services and authorize the Chairman to execute Task Order's #74 in the amount of \$39,675; #75 in the amount of \$44,500, and #76 in the amount of \$327,445.00, respectively for the Brian Fisherman's Coop Road Park Project, as presented. Motion carried unanimously. Vote 5:0

*** Fair Housing Month Proclamation** - At the January 18 regular meeting of the Bryan County Commission, the Commissioners approved the Fair Housing Resolution that was required by the CDBG (Community Development Block Grant). This resolution stated that Bryan County would declare April as Fair Housing Month by proclamation. Fair Housing activities are required as a precursor to application and in support of a CDBG program. Other Fair Housing activities will be scheduled in accordance with the January Fair Housing Resolution. These activities will be conducted with the guidance of Southern Prosperity Consulting, the consultant hired to oversee the application development, application submission and, if funded, administer the CDBG program. A motion was made by Wade Price and seconded by Andrew Johnson to approve and Proclaim April as Fair Housing Month as required by the application for the CDBG program. Motion carried unanimously. Vote 5:0

*** Architect Consideration for CDBG Application Preparation and Senior Center Design** - Bryan County received two responses to the request for qualifications. A selection committee was formed consisting of Chairman Infinger, Sally Shuman and Eric Van Otteren. The committee members discussed the proposals on Friday, March 25 and ranked the responders based on predetermined rating criteria. The committee selected McCall Architecture as the most qualified responder. The selection committee recommends McCall Architecture be awarded the contract and engaged to provide the necessary information to complete the CDBG application and, if funded, complete the architectural design and construction oversight for the new senior center in Pembroke. Noah Covington made a motion to award CDBG application services and, if funded, design services, and construction oversight, to McCall Architecture. Motion was seconded by Andrew Johnson. Motion carried unanimously. Vote 5:0

*** Amendment to Development Agreement with CRG** - The Commission had previously entered into an Agreement with BRYAN COUNTY, GEORGIA, a governmental entity organized and existing under the laws of the State of Georgia, (hereinafter referred to as the "County"), CRG ACQUISITION, LLC, a Missouri limited liability company, and the DEVELOPMENT AUTHORITY OF BRYAN COUNTY, a Georgia statutory authority for the construction of a portion of Interstate Boulevard and the improvements necessary to provide water and sewer service. The Agreement has since been amended. CRG is in the process of proceeding with its development of property in Interstate Centre II and wishes to proceed in the construction of the roadway which had been the obligation of the County. Because of circumstances, including the tornado damage to County facilities it is desirable for CRG to perform the roadway construction. Bryan County would contribute to CRG \$91,000 to reimburse them for a portion of the County's construction responsibilities for the roadwork. The County would continue to install the water and sewer facilities necessary. It is necessary to enter into an amendment to the Agreement to reflect these changes. A motion was made by Noah Covington and seconded by Gene Wallace to approve a resolution authorizing the Chairman to execute an Amendment to the DA CRG in form approved by Staff and the County Attorney providing that the scope of work set forth therein shall be amended to delete any obligation of the County to construct the roadway described in the DA CRG so that the same may be promptly constructed by CRG and further providing that the County shall reimburse CRG the sum of \$91,000 to discharge the County's obligation to perform said work. Motion carried unanimously. Vote 5:0

*** LVAP Board Appointments** - Judge Christy Balbo, Public Safety Director William “Bill” Collins, and Tracy Walden-Stafford all currently serve on the Bryan County Local Victims Assistance Program (LVAP) Advisory Board. All their terms will expire on March 31, 2022. All three members have expressed their interest in serving on this board for another 2-year term. All three members have been very involved and attend all meetings, therefore, we are recommending that Judge Christy Balbo, Public Safety Director William “Bill” Collins, and Tracy Walden-Stafford all be appointed for another 2-year term which would expire on March 31, 2024. A motion was made by Dallas Daniel and seconded by Wade Price to Re-Appoint Judge Christy Balbo, Public Safety Director William “Bill” Collins, and Tracy Walden-Stafford for another 2-year term which would expire on March 31, 2024. Motion carried unanimously. Vote 5:0

Commissioner Covington gave appreciation to the staff for all the hard work and efforts made since the tornado to get things accomplished in a timely manner. He also praised the community for coming together to show support at a much-needed time.

A motion was made by Dallas Daniel and seconded by Noah Covington to adjourn. Motion carried unanimously.

The meeting was adjourned at 7:21 p.m.