

Bryan County Board of Commissioners – May 10, 2022

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, May 10, 2022, in Pembroke. The following members were present: Chairman Carter Infinger, Commissioner Andrew Johnson, 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 Lea Holliday.

Chairman Infinger called the meeting to order at 5:30 p.m. Commissioner Covington gave the invocation, and Mike Bush lead everyone in the Pledge of Allegiance.

A motion was made by Dallas Daniel and seconded by Dallas Daniel to approve the proposed agenda, with the addition of Executive Session to discuss Real Estate. Motion carried unanimously. Vote 5:0

A motion was made by Gene Wallace and seconded by Noah Covington to approve the minutes of the April 2022 meetings as presented. Motion carried unanimously.

Chairman Infinger presented a **Proclamation** to the Lions Club, proclaiming May 26, 2022 as First Responders Appreciation Day.

Chief Jonathan Murrell with the City of Rincon Police Department presented the American Flag back to the County. This flag was rescued from the Bryan County Courthouse after the tornado that came through Pembroke on April 5, 2022.

A motion was made by Noah Covington and seconded by Dallas Daniel to approve the Consent Agenda as presented. Motion carried unanimously. Vote 5:0

A motion was made by Noah Covington and seconded by Andrew Covington to close the regular meeting and go into the Public Hearing. Motion carried unanimously. Vote 5:0

Amanda Clement met with the Commissioners on the following Public Hearing Items.

*Bryan County Comprehensive Plan 2045

*Z#260-22 Blue Ridge Flats LLC, Second Reading of an Ordinance to Amend the Zoning Map for 1.96 acres – Parcel 0251-040-01

*Z#262-22 20/20 Development LLC (Cove 2 Coast) Second Reading of an Ordinance to Amend the Zoning Map for 3.10 acres – Parcel 048-01-017-001 and 048-01-018-001

*CUP#178-22 20/20 Development LLC (Cove 2 Coast) Conditional Use Permit – Parcel 048-01-016-001

*Amendment to Zoning Condition - Watergrass Planned Development

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

*** Bryan County Comprehensive Plan 2045** - The Bryan County Community Development Department, in coordination with the County's Consultant GMC, is kicking off the process of updating the County's Comprehensive Plan. The Comprehensive Plan is a planning document which serves to establish the vision and goals for how the County should grow, usually over a twenty-year period. It will provide guidance on future policies, projects, and actions for various aspects of the County, including, but not limited to, land use, economic development, transportation, and housing. The process to develop the Comprehensive Plan is expected to take a total of 12 – 18 months with final adoption of the plan occurring no later than October 2023. The purpose of this public hearing is to provide an overview on the process that will be used to develop the plan, inform the public about opportunities to participate in the development of the plan, and to obtain input on the proposed planning process. No official action is needed.

*** Z#260-22 Blue Ridge Flats LLC, Second 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 located at 8382 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. A motion was made by Andrew Johnson and seconded by Gene Wallace to approve Case Z#260-22 and rezoning of PIN# 0251-040-01 from R-15 to B-2 for the operation of an animal hospital. Vote 5:0, motion carried unanimously.

*** Z#262-22 20/20 Development LLC (Cove 2 Coast) Second Reading of an Ordinance to Amend the Zoning Map for 3.10 acres – Parcel 048-01-017-001 and 048-01-018-001** - 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. A motion was made by Gene Wallace and seconded by Andrew Johnson to approve Case Z#262-22 and the rezoning of PIN# 048-01-017-001 and 048-01-018-001 from I-2 to I-1 for the purpose of truck sales. Vote 5:0, motion carried unanimously.

*** CUP#178-22 20/20 Development LLC (Cove 2 Coast) Conditional Use Permit – Parcel 048-01-016-001** - Case CUP#178-22, Jason Bryant of Pittman Engineering representing 20/20 Development, LLC, requesting a Conditional Use Permit for Lot 16 in the Coastal Highway Business Park, identified by PIN# 048-01-016-001. The applicant is requesting the Conditional Use Permit in order to permit boat storage, which is a conditional use under the current "I-1" zoning. A motion was made by Noah Covington and seconded by Dallas Daniel to approve CUP# 178-22 with the condition that the fence material is revised to the conditional use standards. Vote 5:0, motion carried unanimously.

*** Amendment to Zoning Condition - Watergrass Planned Development** - Bryan County approved the Watergrass Planned Unit Development ("PUD") on April 11, 2017 and approved an amendment to the PUD on October 9, 2018. For both approvals, the Board of Commissioners included zoning conditions. Zoning Condition #1 established the obligation of the Developer (Watergrass LLC) to construct a Leisure Path by the 60th lot closing. The Watergrass Subdivision is currently under

development, and the 60th lot closing should occur within the next couple of months. After consulting with Watergrass LLC and DR Horton, the purchaser of Phase 2, staff, Watergrass LLC, and DR Horton agreed that having a fee-in-lieu of option would be beneficial to the County, Watergrass, and DR Horton LLC, while still enabling the County to provide additional pedestrian/bicycle connections in the County. A motion was made by Gene Wallace and seconded by Dallas Daniel to approve the request to amend Zoning Condition #1 of the Watergrass Planned Unit Development, in order to allow a fee-in-lieu option. Vote 5:0, motion carried unanimously.

Amanda Clement brought the following Non-Public Hearing Items before the Commissioners.

* **Z#264-22 Edward Meyer, First Reading of an Ordinance to Amend the Zoning Map for 4.8 acres – Parcel 0361-027** - Case Z#264-22, Edward Meyer, requesting the rezoning of an approximately 4.8-acre tract of land located at 6288 Highway 204, PIN# 0361-027. The applicant is requesting the property be rezoned to the “RR-1”, Rural Residential District, from its current “B-1”, Neighborhood Commercial District zoning. The applicant is seeking the rezoning to “RR-1” Rural Residential in order to construct a home on the property. 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 May 17, 2022, and a Public Hearing and 2nd Reading of the Ordinance with the Board of Commissioners on August 14, 2022.

* **Z#236-20 RP Seaport LLC, First Reading of an Ordinance to Amend Zoning Conditions – parcel 028-029** - The Board of Commissioners adopted Ordinance No. 2021-4 on January 12, 2021, which rezoned parcel 028-029 (“Warnell Farms Tract”) to the “I-2” General Industrial Zoning District subject to certain conditions. RP Seaport, LLC, has since acquired the property and intends on developing the property as an industrial development. In order to facilitate the timely development of the site, the property owner is requesting to amend the zoning conditions adopted as a part of Ordinance No. 2021-4 under Rezoning Case Z#236-20, by revising the timing for compliance for those conditions listed under “Traffic/Transportation” and “Water and Sewer”. 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 May 17, 2022, and a Public Hearing and 2nd Reading of the Ordinance with the Board of Commissioners on June 14, 2022.

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

* **Bryan Fisherman's Co-Op Grant Application**- Bryan County submitted a Georgia Outdoor Stewardship Grant application to the Georgia Department of Natural Resources (“DNR”) in October 2021. DNR notified Bryan County on February 23, 2022, that the County was selected to proceed to the Second Level Application Stage (“Stage”). As a requirement of this Stage, the County must provide a letter, signed by the Chairman, confirming its decision to move forward with the Second Level Application Stage. A motion was made by Noah Covington and seconded by Andrew Johnson to approve a Resolution authorizing the County to proceed with the Second Level Application Stage for the Georgia Outdoor Stewardship Program Grant. Vote 5:0, motion carried unanimously.

* **Leisure Path Agreement** - Bryan County approved the Watergrass Planned Unit Development (“PUD”) on April 11, 2017, and approved an amendment to the PUD on October 9, 2018. For both approvals, the Board of Commissioners included zoning conditions. Zoning Condition #1 established the obligation of the Developer (Watergrass LLC) to construct a Leisure Path by the 60th lot closing. The Watergrass Subdivision is currently under development, and the 60th lot closing should occur within the

next couple of months. After consulting with Watergrass LLC and DR Horton, the purchaser of Phase 2, staff, Watergrass LLC, and DR Horton agreed that having a fee-in-lieu-of option would be beneficial to the County, Watergrass, and DR Horton LLC, while still enabling the County to provide additional pedestrian/bicycle connections in the County. The requested Zoning Condition Amendment is being considered under the Community Development Public Hearing items. Should the Board of Commissioners approve this request, the Board of Commissioners will consider the Fee-in-Lieu-of Agreement, which will require James Royal and Michael T. Casey to pay \$44,600 to the County to use for installing a portion of a multi-use path along Belfast River Road. The Engineering Director in consultation with Thomas & Hutton determined this amount is a reasonable valuation of the cost of improvements should Watergrass, A motion was made by Gene Wallace and seconded by Wade Price to approve a Resolution Approving the Fee-In-Lieu-of Agreement with James Royal and Michael T. Casey in the amount of \$44,600, for the installation of a leisure path. Vote 4:0, motion carried unanimously.

*** Water & Sewer Service Agreement – SJC Properties, Inc.-** SJC Properties, Inc. (“SJC”) intends to develop property located within Phase 1 of Interstate Centre Industrial Park (Lot 2A). As such, SJC desires certain commitments from Bryan County regarding water and sewer service to the development. A Water and Sewer Service Agreement must be entered into with the County to identify the capacity being allocated to SJC and the total capital recovery fees required in consideration for the capacity allocation. A motion and was made by Noah Covington and seconded by Andrew Johnson authorizing the Chairman to execute the Water and Sewer Service Agreement between the Board of Commissioners of Bryan County and SJC Properties, Inc. Vote 5:0, motion carried unanimously.

*** 2022 LMIG Program** – Each year the Georgia Department of Transportation provides grant funding for local governments through the Local Maintenance and Improvement Grant Program for road related construction projects. For 2022 Bryan County was awarded \$485,507.29. GDOT requires a local match of 30% which equates to \$145,652.19. Additional funding has been allocated through TSPLOST funds bringing the total to \$1,185,500 for the 2022 Bryan County Road Program. The 2022 road program includes the installation of shoulders and resurfacing of Oak Level Road from SR 144 to Jake Brown Road, the installation of shoulders and resurfacing of Groveland Nevils Road from US 280 to the Bulloch County line, and the installation of shoulders on Belfast Keller Road from Belfast River Road to Cranston Bluff Road. Per the attached Letter of Recommendation for Award, the low bidder for the construction project was McLendon Enterprises in the amount of \$1,464,580.60. As has been the recent trend in bidding infrastructure construction contracts the low bid is approximately 22% above the previously estimated construction cost. The total funds included in the 2022 budget for the 2022 LMIG road package were \$1,185,500 therefore a budget amendment is necessary to provide the additional funding to award the construction project. A motion that was made by Dallas Daniel and seconded by Andrew Johnson awarding a contract to McLendon Enterprises in the amount of \$1,464,580.60 and approve the budget amendment in order to provide additional budget funding for the total 2022 LMIG road program, as presented. Vote 4:0, motion carried unanimously.

*** Board of Education’s Bryan County School District General Obligation Sales Tax Bonds, Series 2022-** The School District has issued Bonds to be repaid from Educational Sales Tax proceeds. The Bonds have been validated on March 10, 2022 by the Superior Court of Bryan County. The School District has recommended to the Board of Commissioners as the Levying Authority that it adopt the attached resolution in support the Bonds by Resolution dated April 28, 2022, a copy of which is provided as information. The adoption of the resolution is in the public interest and pursuant to the County’s responsibilities as a Levying Authority. A motion and was made by Noah Covington and seconded by Dallas Daniel to approve a Resolution Supporting the Board of Education’s School District General

Obligation Sales Tax Bonds, Series 2022, as presented. Vote 4:0, motion carried unanimously. Commissioner Johnson recused himself from the vote.

* **The Commonwealth & Carrington Town Centre Apartments** - Bryan County has been approached to partner with The Commonwealth Companies on an affordable housing project in the City of Richmond Hill. Carrington Town Centre will provide 45 multi-family age restricted affordable apartments to serve 55 and older people. The mixed-use development would include ground-floor commercial and a new Bryan County senior Center space. Commonwealth would own and manage the project as well as maintain the restricted rents for 30+ years. The project will utilize affordable housing tax credits by the Georgia Department of Community Affairs (DCA). A motion and was made by Gene and seconded by Andrew Johnson approving a Resolution to adopt the funding terms for a loan agreement and authorize the Chairman to execute a funding letter in support of an affordable senior housing development. Vote 5:0, motion carried unanimously.

* **2022 Automatic Aid Agreement Amendment** - With the opening of Fire Station 3 on Belfast Keller Road, an amendment has been made to the 2022 Intergovernmental Automatic Agreement between the City of Richmond Hill and Bryan County. This amendment addresses the response territory and units responding in the event of an emergency. A motion and was made by Andrew Johnson and seconded by Wade Price authorizing the Chairman to execute the Intergovernmental Automatic Agreement, as presented. Vote 5:0, motion carried unanimously.

Commissioners Wallace made the announcement that the June Regular Meeting has been rescheduled to June 8, 2022.

Andrew Johnson made a motion to go into Executive Session to discuss real estate. Noah Covington seconded the motion. Vote 5:0, motion carried unanimously.

Andrew Johnson made a motion to return to the open meeting and that motion was seconded by Noah Covington. Vote 5:0, motion carried unanimously.

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

The meeting was adjourned at 7:20 p.m.