

Bryan County Board of Commissioners – July 12, 2022

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, July 12, 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 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 amendment of striking County Administrator Item #7, Mega-Site On-Site Water and Sewer Infrastructure. Motion carried unanimously. Vote 5:0

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

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

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

*Annual Update to Capital Improvement Element

*Jernigan Road Right-of-Way Abandonment- Junita Herb, Homer Holloway and CC Singleton were present with questions about the project

*Bryan County – Comprehensive Plan Amendment – North Bryan Future Land Use Map for Parcels 036-005 and 035-005

*Z#267-22 Bryan County, Second Reading of an Ordinance to Amend the Zoning Map for 786.70 acres – Parcels 036-005 and 035-005

*Buckhead Lake Developers, LLC – Sketch Plat Wexford Subdivision Phase 2 Parcel 062-060

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

*** Annual Update to 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, 2020, and July 14, 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”). 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. A motion was made by Andrew Johnson and seconded by Noah Covington to approve the Resolution Authorizing the Transmittal of the Annual Update of the Capital Improvement Element to the Department of Community Affairs. Vote 5:0, motion carried unanimously.

*** Jernigan Road Right-of-Way Abandonment-** Savannah Harbor Interstate 16 Corridor Joint Development Authority (“JDA”) has submitted a request to abandon 2.6± linear miles of Jernigan Road, a County-owned and maintained public right-of-way (“ROW”). The JDA, in conjunction with Hyundai, Bryan County, and the state of Georgia, is developing the Megasite for an automobile manufacturing facility. In addition to the two parcels currently owned by the JDA (030-025 and 030-026), the JDA is under contract to buy two additional parcels 035-005 and 036-005. The portion of Jernigan Road subject to the abandonment only provides legal access to these four parcels. Access to the Megasite will be provided by two new roads to be constructed, and this section of Jernigan Road is proposed to be removed to accommodate the proposed site development layout. Since access via Jernigan Road will no longer be needed, this 2.6± linear mile section of road no longer serves a substantial public purpose and abandoning the ROW and removing it from the county road system is in the best public interest. A motion was made by Noah Covington and seconded by Wade Price to approve the request by Savannah Harbor Interstate 16 Corridor Joint Development Authority to abandon 2.6± linear miles of Jernigan Road, with the following conditions, and to authorize the Chairman to execute all necessary conveyance documents. 1. Savannah Harbor Interstate 16 Corridor Joint Development Authority shall be responsible for preparing the required plats and dedication documents; 2. Savannah Harbor Interstate 16 Corridor Joint Development Authority shall provide copies of executed easement document(s) or similar documents evincing access and maintenance easements are provided to Canoochee EMC, Pembroke Advanced Communications, and American Tower LP prior to the County executing conveyance documents. 3. Savannah Harbor Interstate 16 Corridor Joint Development Authority shall provide copies of executed easement document(s) or similar document evincing an access easement is provided to the Mingledorff prior to the County executing conveyance documents if Savannah Harbor Interstate 16 Corridor does not purchase/own the Mingledorff Tract prior to recording the conveyance documents. 4. Unless specifically waived by Butler Tract, LLC, the portion of Jernigan Road abutting Butler Tract, LLC and Savannah Harbor Interstate 16 Corridor shall be dedicated to both property owners with the centerline of Jernigan Road being the new property line. 5. In conjunction with the abandonment conveyance documents, Savannah Harbor Interstate 16 Corridor Joint Development Authority will dedicate the additional right-of-way required to install cul-de-sac bulbs (minimum 60’ radii) at the termination points for Jernigan Road. Vote 5:0, motion carried unanimously.

*** Bryan County – Comprehensive Plan Amendment – North Bryan Future Land Use Map for Parcels 036-005 and 035-005-** Case #267-22, the Bryan County Board of Commissioners has initiated a Comprehensive Plan Future Land Use Map Amendment and the rezoning of two tracts of land, parcels 035-005 and 036-005, comprising approximately 787 acres. The properties are currently designated as “Mixed Use” / “Low Density Agriculture” and are zoned “A-5”, Agricultural District. If the Board of Commissioners approve the request, the properties would be designated as “Mixed Use” on the Future Land Use Map and rezoned to the “I-2”, General Industrial District. A motion was made by Dallas Daniel and seconded by Noah Covington to approve the Comprehensive Plan Future Land Use Map to change the classification of approximately 787 acres from “Mixed Use” / “Low Density Agriculture” to “Mixed Use”. Vote 5:0, motion carried unanimously.

*** Z#267-22 Bryan County, Second Reading of an Ordinance to Amend the Zoning Map for 786.70 acres – Parcels 036-005 and 035-005-** Case #267-22, the Bryan County Board of Commissioners

has initiated a Comprehensive Plan Future Land Use Map Amendment and the rezoning of two tracts of land, parcels 035-005 and 036-005, comprising approximately 787 acres. The properties are currently designated as “Mixed Use” / “Low Density Agriculture” and are zoned “A-5”, Agricultural District. If the Board of Commissioners approve the request, the properties would be designated as “Mixed Use” on the Future Land Use Map and rezoned to the “I-2”, General Industrial District. A motion was made by Dallas Daniel and seconded by Noah Covington to approve the Ordinance to Amend the Official Zoning Map for approximately 787 acres from an “A-5” Zoning Classification to an “I-2” Zoning Classification. Vote 5:0, motion carried unanimously.

*** Buckhead Lake Developers, LLC – Sketch Plat Wexford Subdivision Phase 2 Parcel 062-060-** Coleman Company, LLC, on behalf of Buckhead Lake Developers, LLC, requesting a sketch plat for Phase 2 of the Wexford Subdivision. The Bryan County Board of Commissioners, as a part of the Magnolia Hill Planned Unit Development district, rezoned it to “PD” Planned Development District on October 25, 2016. Phase 1, which includes 56 lots, has already been platted and has homes under construction. This Phase 2 plat proposes 44 additional lots: 16 under Phase 2A and 28 under Phase 2B. Property is located on Belfast River Road, Parent PIN# 062-060, in unincorporated Bryan County, Georgia. A motion was made by Wade Price and seconded by Dallas Daniel to approve based on the following conditions: 1. The final plat shall show the full 60’ ROW width for the temporary hammerhead turn-around and emergency access drive. The ROW shall terminate 10’ from the north end of the proposed temporary gravel road and extend down to the existing road ROW on the south end. 2. In the event the hammerhead road is not extended to the north in the future, then the developer will be responsible for constructing a permanent cul-desac bulb with a 60’ radius at the end of Hanover Place. The construction of the permanent cul-de-sac shall be completed prior to final plat approval for the last phase in the Wexford development. 3. Construction details for the temporary turnaround, permanent cul-de-sac bulb, and emergency access drive must be provided with the applicable construction plans for approval. Vote 5:0, motion carried unanimously.

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

*** Z#263-22 Stravinski Capital Management, LLC – First Reading of an Ordinance to Amend the Zoning Map for 544.84 acres – Parcels 028-030 and 028-027** - Thomas and Hutton Engineering, on behalf of the applicant Stravinski Capital Management, LLC, requesting a rezoning for 544.48 acres located on Warnell Farm Road. The property is zoned “A-5” Agricultural and they are requesting “I-2” General Industrial. PIN# 028-030 and 028-027. 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 July 19, and a Public Hearing and 2nd Reading of the Ordinance with the Board of Commissioners on August 9, 2022.

*** Reduction in Buffer Requirement Article VI Section 114-629(c)(2) – West Port Development Owner, LLC-** The Board of Commissioners approved the rezoning of parcels, and (“Herbet WarnellTract”) to the “I-2” General Industrial Zoning District on January 12, 2021. The property has frontage along US Hwy 80. Under Section 114-629(c)(1)(b) of the Unified Development Ordinance, industrial developments on arterial roadways are required to maintain a 50’ wide buffer. When a utility easement exists along the property line, a “byright’ reduction can be granted equal to the width of the easement or twenty-five percent of the required buffer width, whichever is less (Section 114-630(c)(3)(b)). In the case of this tract, there will be a 30’ wide exclusive utility easement dedicated to Bryan County; therefore, a twenty-five percent reduction to the required 50’ wide buffer (12.5’) has

already been granted resulting in a 37.5' wide buffer being required. With this request, Westport is requesting an additional buffer reduction to reduce the 37.5' buffer to 28.5' in accordance with Section 114-629(c)(2) of the UDO. A motion was made by Gene Wallace and seconded by Wade Price to approve the Westport development Owner, LCC Request for Buffer Reduction based on the following conditions: 1. The planting requirements for the 28.5' buffer must comply with the minimum buffer planting requirements for a 30' wide buffer, as is shown in Exhibit 630 of the Unified Development Ordinance (UDO). This will require a minimum of two (2) large canopy trees, two (2) medium canopy trees, two (2) small canopy trees, and six (6) shrubs, per 100 linear feet of buffer. In addition to the required minimum buffer planting requirements, it is expected that additional ornamental plantings will be included in order to enhance the overall appearance of the buffer as represented in the illustrative concept plan that was prepared by Thomas & Hutton on behalf of Chesterfield, LLC, dated December 7, 2021. 2. A separate application for any minor modification to the width of the buffer must be submitted in accordance with Section 114-417(c)(2) of the Unified Development Ordinance (UDO) and comply with said standards. Vote 5:0, motion carried unanimously.

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

*** Resolution Authorizing Referendum for Sunday Alcohol Sales-** Sections 4-77(6) and 4-79(a) of the Code of Ordinances of Bryan County ("Code") addresses Sunday alcohol sales. Currently, Sunday alcohol sales are allowed in unincorporated Bryan County from 12:30 p.m. to 12:00 midnight for on premise consumption and from 12:30 p.m. to 11:30 p.m. for consumption off premises. State law allows counties to allow on premise consumption for alcohol (by the drink) on Sundays from 11:00 a.m. until 12:00 midnight. Bryan County is in the process of updating Chapter 4 "Alcoholic Beverages" of the Code and in order to revise the time for allowing on premise consumption on Sundays from 12:30 p.m. to 11:00 a.m., state law requires a referendum (O.C.G.A §3-3-7). The referendum must be called not less than 10 days but no more than 60 days after the resolution calling for the referendum is adopted. The Election Superintendent shall then set the date of the referendum not less than 30 days but no more than 60 days after the date of the issuance of the call. The anticipated date of the referendum, therefore, would be the general election date, November 8, 2022. A motion was made by Andrew Johnson and seconded by Gene Wallace to approve the Resolution Calling for a Referendum to Allow Sunday Alcohol Sales by the Drink from 11:00 a.m. until 12:00 midnight. Vote 5:0, motion carried unanimously.

*** Motorola Communication System for 911-** Staff recommended the purchase of upgrades for the Motorola communications system for 911 back in October of 2021 before the price increase. These upgrades were just finished and were needed to support the current system. Staff has worked out the financing and received the documents for this purchase. The equipment purchased was \$468,338.30 and maybe financed at 4.20% for 4 years, if approved. This is with 4 equal payments starting on 7/1/2023 and ending on 7/1/2026. The total interest cost is \$51,183.74. A motion was made by Wade Price and seconded by Andrew Johnson authorizing staff and legal counsel to sign any paperwork needed to execute the financing paperwork for the upgrades on the Motorola communications system for 911. Vote 5:0, motion carried unanimously.

*** MOU with United Way -** In the aftermath of the April 5, 2022, tornado that struck Bryan County, many people in the surrounding areas were seeking ways to donate to victims of the tornado. UWCE was able to step in to assist Bryan County Family Connection (BCFC) and partner with area agencies to provide assistance in an organized and timely manner. Donations and volunteer management are an important part of the recovery process, and if not managed well, can become an

additional disaster, diverting valuable staff time away from the larger recovery effort. To date, \$58,341 has been raised and the UWCE has assisted 87 beneficiaries (about 30 households) and has distributed close to \$29,000 in funds to pay for a variety of needs including funeral expenses, roof repairs, mobile home relocation, insurance (car and home) deductibles, gas cards, rent, hotel rooms, etc. UWCE are continuing to provide resources to the victims during this long-term recovery process. Having this agreement in place would formalize and expedite the response, allowing UWCE to create, manage, and solicit donations for a Bryan County Disaster Relief Fund after a large-scale emergency. BCFC did this work in the immediate aftermath, which prevented them from fully focusing on their normal family assistance duties. United Way of the Coastal Empire has similar agreements with Chatham and Effingham Counties and are currently working on an agreement with Liberty County. A motion and was made by Noah Covington and seconded by Dallas Daniel to approve the Memorandum of Agreement between Bryan County and United Way of the Coastal Empire (UWCE) to create, manage, and solicit donations for a Bryan County Disaster Relief Fund after a large-scale emergency. Vote 5:0, motion carried unanimously.

* **TSPLOST Bond Certification** – Approve a resolution of the Board of Commissioners of Bryan County declaring the results of an election held on May 24, 2022 and certificate of election superintendent. Whereas, the Board of Commissioners of Bryan County (the “**Board of Commissioners**”), adopted a resolution on February 8, 2022, to reimpose, levy, and collect a special county one percent sales and use tax for transportation purposes and to authorize the issuance of general obligation debt of Bryan County (the “**County**”), conditioned upon approval by a majority of the qualified voters residing within the County voting in a referendum thereon to be held on May 24, 2022. A motion that was made by Gene Wallace and seconded by Noah Covington authorizing the Chairman of Bryan County Board of Commissioners, the County Clerk, and the Chairperson of the Board of Elections to sign this resolution and to execute all the necessary paperwork. Vote 5:0, motion carried unanimously.

* **Brisbon Road Cost Sharing Agreement**- This Intergovernmental Agreement with the City of Richmond Hill is for the sharing of costs and expenses incurred pursuant to improvements made to Brisbon Road and the construction of a Harris Trail pedestrian bridge. Staff from the City of Richmond Hill, Bryan County and Thomas & Hutton have walked Brisbon Road and reviewed appropriate options to improve the road. It is the recommendation of Thomas & Hutton that full depth reclamation is the best improvement solution. The County engaged Thomas and Hutton to create a cost estimate. The City and County have committed to a 50% funding agreement on the rehabilitation of this road and the allocation of TSPLOST/SPLOST dollars. A motion and was made by Wade Price and seconded by Dallas Daniel to Approve the Cost Sharing Agreement with the City of Richmond Hill. Vote 5:0, motion carried unanimously.

* **US 80/US 280 Roundabout Design** - In order to accommodate the anticipated demands from the proposed development in the North Bryan IDR along with additional anticipated demands of future residential, commercial, and industrial developments in the area, the County has determined that certain transportation improvements will be necessary at the intersection of US 80 and US 280 in order to meet the anticipated traffic demands along their respective corridors. As such, the County has coordinated its transportation improvement efforts with the Georgia Department of Transportation (GDOT) in order to secure \$2,000,000 in grant funding for a portion of the construction costs which is contingent upon a commitment from Bryan County for financial support to cover engineering costs along with any additional costs necessary to complete the project, the total cost of which is currently estimated at \$4,900,000. In addition, the State has agreed to bid the project as well as administer the

construction phase services through the fruition of the project. The County has entered into transportation improvement contribution agreements in order to provide full funding for the engineering design and partial funding for the construction of the project. A motion and was made by Gene Wallace and seconded by Dallas Daniel to approve the attached Thomas & Hutton Scope of Services and authorize the Chairman to execute the corresponding Task Order #64 in the amount of \$989,060 for engineering design phase services in conjunction with the US 80/US 280 roundabout. Vote 5:0, motion carried unanimously.

At 6:21 p.m. 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 Gene Wallace and seconded by Dallas Daniel to adjourn. Vote 5:0, motion carried unanimously.

The meeting was adjourned at 6:41 p.m.